

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1971

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 4, 1971



Vol. 3

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1971**

THIRTY-SECOND LEGISLATIVE DAY

TUESDAY, AUGUST 31, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Honorable L. D. Owen, Senator from the Twenty-fifth Senatorial district.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pierce, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirty-first Legislative Day was approved by the Senate.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Wilson, further consideration of the Bill, S. B. 260, was indefinitely postponed.

On motion of Mr. Cook, further consideration of the Bill, S. B. 240, was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 912. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 912, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 912

Amend Section 3 of Senate Bill 912 by increasing the size of the Commission from eleven (11) to fifteen (15) members and adding two (2) additional members to the Executive Board.

AMENDMENT TO S. B. 912

Amend Section 17 of Senate Bill 912 by striking Section 17 in its entirety and substituting the following:

"Section 17. This act shall become effective on the first day of the second month after its passage and approval by the Governor, or upon its otherwise becoming a law."

AMENDMENT TO S. B. 912

Amend Senate Bill 912 by striking out Section 14 of said Act and renumbering the following sections.

Change Section 15 as now appears to read Section 14, Section 16 to read 15, Section 17 to read Section 16.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	McLain	Shelby	
Cooper	Hammond	O'Bannon	Wilson	
Dominick	Hawkins			—25

Nays: —0

BILLS ON THIRD READING

The Bill:

S. 1056. To propose an amendment to the Constitution of Alabama relative to the effect of school laws and provisions of the Constitution relating to education in Mobile County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Hammond	Littleton	Shelby	
Branyon	Harris	Lybrand	Vacca	
Carr	Hawkins	McLain	Weaver	
Clark	Horne	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1210. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1211. To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Owen	
Carr	Hammond	Littleton	Pierce	
Cook	Harris	Lybrand	Register	
Cooper	Hawkins	McLain	Shelby	
Dominick	Horne	Malone	Vacca	
Dozier	Jones	Noonan	Weaver	
Edington	King			—25

Nays:

—0

The Bill:

S. 1212. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Shelby	
Carr	Hammond	Lybrand	Vacca	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

H. 1899. To amend Sections 366, 368 and 369 of Title 52 of the Code of Alabama 1940 which relates to the Teachers' Retirement System so as to make further provisions for the increase of teachers' retirement and to provide for the payment of accrued liability contributions by the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1899. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1218. To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 1219. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the County Court in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Cook	Harris	McLain	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1220. To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Carr	Gilmore	McLain	Register
Clark	Givhan	Noonan	Shelby
Cook	Harris	O'Bannon	Vacca
Cooper	Horne	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

S. 1221. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be deposited in the general fund of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register
Branyon	Givhan	Littleton	Shelby
Carr	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

S. 1223. Relating to Wilcox County; to provide for the salary of the chief deputy of such county to be not less than \$500.00 nor more than \$600.00 for each month said chief deputy serves and the salary of all other deputies of such county to be not less than \$400.00 nor more than \$500.00 for each month said deputies serve.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	O'Bannon	Wilder
Cooper	Hammond	Owen	Wilson
Dozier	Harris		

—25

Nays:

—0

The Bill:

S. 1224. Relating to Conecuh County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Bailes	Givhan	McLain	Shelby
Carr	Hammond	Noonan	Vacca
Clark	Hawkins	O'Bannon	Weaver
Cooper	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edgington	Lindsey		

—25

Nays:

—0

The Bill:

S. 1232. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	McLain	Register
Carr	Givhan	Noonan	Shelby
Clark	Hammond	O'Bannon	Vacca
Cook	Harris	Owen	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

S. 1225. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the Authority; and authorizing any municipality in such

counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Malone	
Branyon	Edington	King	Pierce	
Carr	Fine	Lindsey	Register	
Clark	Foshee	Littleton	Vacca	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Givhan	McLain	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 79. To amend Act No. 762, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as returning officer at each polling place.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 79, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 79

Further amend Section 1 of House Bill 79 by deleting the following sentence "Any person performing the duties of returning officer for such polling places shall receive \$25.00 in addition to any compensation for other duties." And insert in lieu thereof the following words and figures:

Any person performing the duties of returning officer for such polling places shall receive \$10.00 in addition to any compensation for other duties.

On motion of Mr. Bailes, said amendment was laid on the table.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Bailes	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays:

—0

And said Bill, H. B. 79, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Bailes	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 1213. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Clark	Foshee	Lybrand	Pierce	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1214. To fix the salaries of the judge and the clerk of the Calhoun County Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilder	
Cooper	King			—25

Nays: —0

The Bill:

S. 1230. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Harris	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 342. Relating to counties having populations of not less than 10,800 nor more than 19,000, and counties having populations of not less than 65,000 nor more than 110,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention centers for lodging adolescents and persons confined on order of juvenile judges in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Clark	Gilmore	Lybrand	Pierce	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1233. To amend Act No. 74, H. 39, of the Special Session of 1967 (Acts 1967, p. 105) which Act creates and provides for organization and functioning of a board of jury supervisors for Dale County in lieu of the jury commission, so as to increase the membership of this board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	McLain	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Givhan	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1234. To provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Branyon	Givhan	Littleton	Vacca	
Carr	Hammond	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2052. To amend Section 44 of Title 50 of the Code of Alabama of 1940, as heretofore amended, so as to eliminate the limitation on the rate of interest that may be borne by bonds of an improvement authority incorporated pursuant to the provisions of Chapter 3 of Title 50 of the Alabama Code of 1940, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Malone	Register	
Branyon	Gilmore	Noonan	Shelby	
Carr	Givhan	O'Bannon	Vacca	
Clark	Horne	Owen	Weaver	
Cook	Jones	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1271. To further amend Sections 4, 12, 14, 16, and 23 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Balles	Gilmore	McLain	Pierce	
Cook	Hammond	Malone	Register	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 544. Relating to cities having a population of 300,000 or more according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 544, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 544

Amend H. B. 544 and particularly Section 16 thereof by deleting Section 16, and substituting the following:

Section 16. This Act shall become effective upon its passage and signature by the Governor, or upon its otherwise becoming a law; however, it is expressly a condition preceding to it becoming effective that the city council shall by resolution determine that the city desires to use this Act to go into the parking business and shall call an election of the general electorate of the city giving notice of the election and holding the election at the next election and in accord with the laws relative to the city elections and the holding thereof; the issue to be for the city of (Name of City) using Act No. ____ to go into the parking business, against the city of (Name of City) going into the parking business. In the event the vote is against the Act, it terminates the effectiveness of the Act, and additional legislative authorization shall be required.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays: —0

And said Bill, H. B. 544, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1387. To further amend Section 12, sub-paragraph (k) of Act #929 of the Regular Session of the Legislature of Alabama 1951, approved September 12th, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled "An act to create or provide in or for each and every city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding Federal Census, a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and subordinately to define officers and employees of the Board of Health of any County in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register	
Bailes	Gilmore	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2216. To empower Recorders Court in municipalities having now or hereafter having a population of 250,000 or more, according to the last or any subsequent federal census, to suspend sentences or grant probation under certain conditions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Carr	Hammond	McLain	Pierce	
Clark	Harris	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2039. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And to Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of the Second Special Session Of the Legislature of Alabama Of 1956, to Include In Said Separate System Dependents Of Said Presently Active Employees: And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Felham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Wilder	
Dominick	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2040. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement ann Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is ap-

plicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees: and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 290. To grant free fishing privileges in all public lakes in Tuscaloosa County to certain resident citizens of the State.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Hammond	Malone	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Littleton			—25

Nays: —0

The Bill:

H. 519. Relating to Tuscaloosa County; to authorize the county board of education to provide for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1600. To repeal Act No. 517, H. 1033, approved August 21, 1969, Regular Session 1969 (Acts 1969, p. 993) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen
Bailes	Dozier	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Noonan	Shelby
Cook	Hawkins	O'Bannon	Wilson
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 1601. To repeal Act No. 844, H. 1122, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1549) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Pierce
Clark	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Weaver
Dozier	Jones	Pelham	Wilson
Edington	Lybrand		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1033. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

Also:

H. 1036. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

Also:

H. 1037. To amend the title and Section 1 of Act No. 430, H. 696, Regular Session 1963, Acts 1963, p. 954), which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

H. 1038. To amend the title and Section 1 of Act No. 345, H. 981, Regular Session 1963 (Acts 1963, p. 838), which authorizes, provides for the licensing of and regulates the operation of, and hunting on privately owned hunting preserves stocked with artificially propagated upland birds in certain counties classified on a population basis.

Also:

H. 1044. Applying to Talladega County, authorizing applications for registration to vote to be made before the judge of probate or his employees, providing that such applicants need not appear in person before the board of registrars or any member thereof, and granting full rule-making power to the board of registrars to carry out the purposes of this act.

Also:

H. 1046. Relating to Talladega County, to provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in such county.

Also:

H. 1069. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the Intermediate Court in such counties.

Also:

H. 1091. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylist; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Also:

H. 1324. To amend the title and Section 1 of Act No. 73, H. 65, Special Session 1966 (Acts 1966, p. 102), which regulates further the county court of certain counties classified on a population basis.

Also:

H. 1325. To amend the title and Section 1 of Act No. 39, S. 23, Special Session 1966 (Acts 1966, p. 62), which authorizes the Clerk of

the County Court to appoint two of his assistants to be assistant Chief Clerks of the Criminal and Civil Divisions, respectively, of said court, in certain counties classified on a population basis.

Also:

H. 1326. To amend the title and Section 1 of Act No. 464, H. 528, Regular Session 1967 (Acts 1967, p. 1155), which provides for the fixing, disposition, and use of fees collected for the issuance of pistol permits in certain counties classified on a population basis.

Also:

H. 1327. To amend the title and Section 1 of Act No. 1184, H. 1357, Regular Session 1969 (Acts 1969, p. 2213), which provides an additional supplementary salary for the circuit court reporters of certain counties classified on a population basis.

Also:

H. 1328. To amend the title and Section 1 of Act No. 619, H. 782, Regular Session 1967 (Acts 1967, p. 1423), as last amended, which provides for the distribution of a portion of the State Gasoline Excise Tax among municipalities in certain counties classified on a population basis.

Also:

H. 1329. To amend the title and Sections 1, 2, and 3 of Act No. 538, S. 589, Regular Session 1967 (Acts 1967, p. 1287), which provides additional and alternate methods of annexation of certain municipalities in certain counties classified on a population basis.

Also:

H. 1330. Relating to counties having a population of not less than 90,000 nor more than 100,000; fixing the compensation of certain officers in such counties.

Also:

H. 1331. To amend the title and Section 1 of Act No. 206, H. 401, Regular Session 1961 (Acts 1961, p. 238), which prohibits probate judges from charging any fee for administering an oath or taking or acknowledging an affidavit, in certain counties classified on a population basis.

Also:

1332. To amend the title and Section 1 of Act No. 200, H. 417, Regular Session 1961 (Acts 1961, p. 235), which regulates further the purchasing practices of certain counties classified on a population basis.

Also:

H. 1333. To amend the title and Section 1 of Act No. 208, H. 403, Regular Session 1961 (Acts 1961, p. 239), which provides for appointment, compensation, duties, and authority of deputy circuit solicitors in certain counties classified on a population basis.

Also:

H. 1334. To amend the title and Section 1 of Act No. 589, H. 1039, Regular Session 1961 (Acts 1961, p. 697), which provides that witness certificates obtained as a state's witness before certain judicial bodies and proceedings shall be paid immediately upon presentation for payment, in certain counties classified on a population basis.

Also:

H. 1335. To amend the title and Section 1 of Act No. 379, H. 793, Regular Session 1961 (Acts 1961, p. 393), which provides for, authorizes, and describes the type of hospital records which may be introduced as evidence in the courts of certain counties classified on a population basis; further provides procedures for proper introduction thereof and provides for the taxing of costs in connection therewith.

Also:

H. 1336. Relating to meetings and compensation of members of boards of education in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Also:

H. 1337. To amend the title and Section 1 of Act No. 138, H. 139, Special Session 1969 (Acts 1969, p. 204), which provides for the Constable of the County Courts to serve as bailiff and provides compensation therefor, certain counties classified on a population basis.

Also:

H. 1338. To amend the title and Sections 1 and 2 of Act No. 377, H. 791, Regular Session 1961 (Acts 1961, p. 392), which allows the county commission of certain counties classified on a population basis to fix and set aside by resolution certain days of the week for the closing of offices in said county court house.

Also:

H. 1339. To amend the title and Section 1 of Act No. 70, H. 103, Special Session 1962 (Acts 1962, p. 94), which provides for the distribution and use of revenue received from the property tax levied pursuant to Amendment CCII of the Alabama Constitution of 1901, in certain counties classified on a population basis.

Also:

H. 1340. To amend the title and Section 1 of Act No. 24, H. 18, Special Session 1962 (Acts 1962, p. 34), which provides for feeding of prisoners in jail, retroactivity of this Act, and validates certain allowances which may have heretofore been made for the feeding of such prisoners, in certain counties classified on a population basis.

Also:

H. 1341. To amend the title and Section 1 of Act No. 286, S. 286, Regular Session 1963 (Acts 1963, p. 731), which provides for certain teachers in the public schools who are over age seventy to be continued in service, in certain counties classified on a population basis.

Also:

H. 1342. To amend the title and Section 1 of Act No. 178, H. 205, Special Session 1964 (Acts 1964, p. 245), which regulates further the compensation and allowance of the sheriff in certain counties classified on a population basis.

Also:

H. 1343. To amend the title and Section 1 of Act No. 213, H. 31, Special Session 1964 (Acts 1964, p. 287), which restores or reconfers on

certain justices of the peace and notaries public ex officio justices of the peace, certain jurisdiction withdrawn from them by local acts, in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1349. To repeal Act No. 406, H. 987, approved August 30, 1963, Regular Session 1963 (Acts 1963, p. 906), entitled, "An Act prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement."

Also:

H. 1350. To amend the title and Section 1 of Act No. 485, H. 946, Regular Session 1965 (Acts 1965, p. 698), which regulates further the compensation of clerical assistants of certain officers of certain counties classified on a population basis.

Also:

H. 1351. To amend the title and Sections 1 and 2 of Act No. 964, S. 322, Regular Session 1961 (Acts 1961, p. 1571), which regulates the compensation of members of the county board of education of certain counties classified on a population basis.

Also:

H. 1353. To amend the title and Section 1 of Act No. 365, S. 372, Regular Session 1965 (Acts 1965, p. 500), which allows the governing body of certain counties classified on a population basis to authorize the tax collector to send notices and receipts of taxes due and paid to tax payers and provide that expenses therefor shall be paid from the county general fund.

Also:

H. 1376. Relating to the compensation of tax assessors and tax collectors in counties having population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Also:

H. 1421. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1422. An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1426. Regulating the compensation and allowances of members of the St. Clair County board of education.

Also:

H. 1427. To amend the title of Act No. 47, H. 57, p. 2671, Acts of Alabama 1970 Special Session, so as to change the population classification figures in said act.

Also:

H. 1428. To repeal Act No. 335, H. 843, approved August 10, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400; regulating the compensation and allowances of members of the county board of education." (Acts of Alabama, 1965, p. 464).

Also:

H. 1481. To amend section XIII of Act No. 822, Acts of Alabama 1969, Regular Session, relating to Cherokee County gasoline tax so as to authorize the state department of revenue to collect such tax for Cherokee County; to require such tax collected to be deposited with the state treasurer; and to require the state treasurer to remit such tax to the governing body of Cherokee County less the costs of collection not to exceed five (5) percent.

Also:

H. 1482. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, which establishes and provides for the operation of the Cherokee County Court, amending sections 4 and 10 of such act, so as to provide for only one mandatory jury session each year, and to provide further for the compensation of the official Court Reporter.

Also:

H. 1483. To repeal Act No. 677, S. 820, approved August 29, 1969, Regular Session 1969 (Acts of Alabama, Special and regular Sessions, 1969, p. 1212), entitled, "An Act Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds."

Also:

H. 1484. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168) which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis and to provide an effective date to begin at the next term of office.

Also:

H. 1485. To repeal Act No. 823, H. 899, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1209), entitled, "An Act Relating to counties having a population of not less than 16,150 nor more than 17,250

inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers."

Also:

H. 1486. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

H. 1487. To amend the title and Section 1 of Act No. 118, H. 426, Regular Session 1965 (Acts 1965, p. 176), which provides transportation allowances for the chairmen and members of the county commission in certain counties classified on a population basis.

Also:

H. 1488. To amend the title and Section 1 of Act No. 126, H. 115, Special Session 1965 (Acts 1965, p. 178), which authorizes the Chief Justice of the Supreme Court to assign a special Judge to the County Courts of record in certain counties classified on a population basis where the duly elected or appointed Judge thereof is disqualified to act or is unable to attend Court on account of sickness or a vacancy has existed in the office of the Judge of said Court for more than thirty days, and to provide additional compensation to be paid such special Judge from the general fund of the County.

Also:

H. 1489. To amend the title and Section 1 of Act No. 346, H. 333, Special Session 1966 (Acts 1966, p. 489) which regulates the salary of the coroner in certain counties classified on a population basis.

Also:

H. 1490. To amend the title and Section 1 of Act No. 198, H. 222, Special Session 1967 (Acts 1967, p. 244) which provides expense allowances for clerks of the circuit courts in certain counties classified on a population basis.

Also:

H. 1491. To amend the title and Section 1 of Act No. 563, H. 705, Regular Session 1967 (Acts 1967, p. 1319) which authorizes the chairman or president of the county governing body to make expenditures from the county road, bridge and public building fund in certain counties classified on a population basis.

Also:

H. 1492. To amend the title and Section 1 of Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243) which provides clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides is classified on a population basis.

Also:

H. 1493. To amend the title and Section 1 of Act No. 512, H. 860, Regular Session 1969 (Acts 1969, p. 982) which relieves the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties in certain counties classified on a population basis.

Also:

H. 1494. To amend the title and Section 1 of Act No. 664, H. 909, Regular Session 1967 (Acts 1967, p. 1485) which provides expense allowances for tax collectors in certain counties classified on a population basis.

Also:

H. 1495. To amend the title and Section 1 of Act No. 694, H. 956, Regular Session 1967 (Acts 1967, p. 1519) which provides expense allowances for the register in chancery in certain counties classified on a population basis.

Also:

H. 1496. To amend the title and Section 1 of Act No. 665, H. 910, Regular Session 1967 (Acts 1967, p. 1486) which provides expense allowances for tax assessors in certain counties classified on a population basis.

Also:

H. 1497. To repeal Act No. 873, H. 1203, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1582), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board."

Also:

H. 1498. To repeal Act No. 722, H. 1018, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1557), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 according to the most recent federal decennial census; further regulating the compensation and meeting days of members of the county board of education in all such counties."

Also:

H. 1499. To apply only in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; authorizing the county board of education to fix expense allowances for its members; and further regulating the compensation and meeting days for members of such board of education in said counties.

Also:

H. 1501. To amend the title and Section 1 of Act No. 936, H. 1352, Regular Session 1969 (Acts 1969, p. 1672) which authorizes the county commission to appropriate county funds to establish a contingent fund providing for the use of such funds in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1574. To repeal Act No. 1226, H. 1502, Regular Session 1969, approved September 13, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division; prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof."

Also:

H. 1575. To repeal Act No. 359, S. 519, Regular Session 1967, approved September 5, 1967, entitled "An Act To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury."

Also:

H. 1576. To repeal Act No. 713, H. 1002, Regular Session 1967, approved September 8, 1967, entitled "An Act Applying to all counties having a population of not less than 65,000 nor more than 95,000 according to the last or any subsequent federal decennial census; creating an assistant clerk in certain divisions of the county courts in such counties and providing for the pay thereof."

Also:

H. 1577. To repeal Act No. 201, S. 442, Regular Session 1967, approved August 8, 1967, entitled "An Act To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established."

Also:

H. 1578. To repeal Act No. 452, H. 1060, Regular Session 1969, approved August 22, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad."

Also:

H. 1579. To repeal Act No. 147, H. 134, Special Session 1971, approved May 11, 1971, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 68,000 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published."

Also:

H. 1583. Relating to Talladega County; authorizing the county governing body of such county and the governing body of any municipality within such county to contribute public funds for a volunteer rescue squad.

Also:

H. 1584. Applying to Talladega County; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

Also:

H. 1585. Applying to Talladega County; creating an assistant clerk in certain divisions of the county courts in such county and providing for the pay thereof.

Also:

H. 1586. Relating to Talladega County, to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Also:

H. 1587. Applying to Talladega County; prescribing the civil jurisdiction of the county court of such county; and placing certain limitations on the judges thereof.

Also:

H. 1588. Applying to Talladega County; to better secure the enforcement of laws in such county, to further prescribe the duties of the Sheriff and District Attorney in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

Also:

H. 1672. Relating to counties having populations of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

H. 1673. To authorize county boards of education in all counties having a population of not less than 34,000 nor more than 34,800, to appoint the superintendent of education for such counties.

Also:

H. 1674. Relating to counties having populations of not less than 34,000 nor more than 34,800; according to the most recent federal decennial census; providing for the payment or reimbursement by said counties to the members, including the chairman, of the county commission, of their actual expenses incurred in the performance of their duties outside the county, including expenses incurred by them in attending conventions of the National Association of County Commissioners and the Alabama Association of County Commissioners.

Also:

H. 1675. To authorize the Director of Conservation to open a season in counties having a population of not less than 34,000 nor more than 34,800, for the hunting of female deer or unantlered male deer.

Also:

H. 1742. Relating to all counties having a population of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justice of the peace, and vest such jurisdiction in the County Courts.

Also:

H. 1715. To amend the title and Section 1 of Act No. 392, H. 988, Regular Session 1969 (Acts 1969, p. 767), which increases the compensation of members of the jury commission in certain counties classified on a population basis.

Also:

H. 1716. Relating to Houston County, directing the board of registrars to purge the list of registered voters, requiring and prescribing the procedure for the reidentification of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

Also:

H. 1763. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Also:

H. 1764. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Also:

H. 1765. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Also:

H. 1770. To change the composition of the Board of Education of Phenix City, in Russell County.

Also:

H. 1771. To amend Sections 1 and 2 of Act No. 17, H. 125, Regular Session 1947, which act created a hospital commission for Phenix City, in Russell County, by increasing the membership and authority of said commission.

Also:

H. 1772. To provide for payment of fees of state witnesses in certain cases from the general funds of Russell County.

Also:

H. 1790. To provide for a retirement pension for certain salaried elected public officials of any County having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, to set the eligibility requirements for

such pension and the amount, including contributions to retirement fund, and method and source of payment thereof, and to require the approval by a majority of the voters in a county-wide referendum before the provisions of this Act become operative.

Also:

H. 479. To apply in all counties having a population of not less than 48,000 and not more than 50,000 according to the 1970 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of salaries of juvenile court probation officers in all such counties when probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize matching State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

Also:

H. 769. To amend the title and Sections 1 and 2 of Act No. 908, H. 1286, Regular Session 1969 (Acts 1969, p. 1636), which Act provides for changes in election precincts, regulation and use of voting machines, changes in boundary lines, use of paper ballots, election officials and compensation therefor, and duties of the judge of probate in certain counties classified on a population basis.

Also:

H. 770. To amend the title and Section 1 of Act No. 118, H. 194, Special Session 1966 (Acts 1966, p. 156), which Act provides for the hunting of female deer or unantlered male deer in certain counties classified on a population basis.

Also:

H. 771. To repeal Act No. 10, H. 14, approved October 29, 1965, Third Special Session (Acts of Alabama 1965, p. 214) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters of such counties."

Also:

H. 1817. To repeal Act No. 835, H. 1102, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1541), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting law."

Also:

H. 1818. To repeal Act No. 834, H. 1101, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1540), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor."

Also:

H. 1819. To amend the title and Section 1 of Act No. 119, H. 108, Special Session 1969 (Acts 1969, p. 190), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the disposition and use of such fees, in certain counties classified on a population basis.

Also:

H. 1820. To amend the title and Section 1 of Act No. 515, H. 1135, Regular Session 1965 (Acts 1965, p. 759), which provides further for the payment of an expense allowance to coroners of certain counties classified on a population basis.

Also:

H. 1821. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87), which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

H. 1822. To amend the title and Section 1 of Act No. 169, H. 493, Regular Session 1963 (Acts 1963, p. 565), which fixes the compensation of the county or deputy solicitor in certain counties classified on a population basis.

Also:

H. 1823. To amend the title and Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessors and collectors of certain counties classified on a population basis.

Also:

H. 1824. To authorize the county commission of counties having populations of not less than 12,700 nor more than 13,100, according to the most recent federal decennial census, to pay, within their discretion, a total amount not to exceed \$800 to private citizens as a result of damages done by county trucks.

Also:

H. 1825. To repeal Act No. 256, H. 769, approved July 29, 1969, Regular Session 1969 (Acts 1969, p. 588), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This act is in addition to all existing allowances."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1514. To regulate motor vehicles (automobiles, trucks, etc.) parking on County property around the Houston County Courthouse, to set a time limit for motor vehicles to be parked, to authorize Houston County Sheriff to deputize the Houston County Maintenance Engineer for the enforcement of this Act.

Also:

H. 1521. To provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office.

Also:

H. 1522. To provide for meetings of the board of registrars of Houston County and for files of registered voters in said county.

Also:

H. 1528. To repeal Act No. 234, H. 228, approved August 15, 1963, Regular Session 1963 (Acts 1963, p. 635), entitled, "An Act relating to counties having populations of not less than 17,400 nor more than 17,800 inhabitants according to the 1960 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five."

Also:

H. 1542. Relating to Houston County; to provide additional expense allowances for members of the County Board of Education in such county.

Also:

H. 1569. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Also:

H. 1687. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designed by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 1688. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 1689. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the micro-filming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Also:

H. 1690. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 1691. To amend the Title and Section I of Act No. 115, H. 101, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 1692. Relating to counties having a population of not less than 75,000 nor more than 90,000; to authorize the county commission to establish a contingent fund for the payment of certain equitable and just claims and other expenses.

Also:

H. 1695. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

Also:

H. 1698. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Also:

H. 1699. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Also:

H. 1700. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Also:

H. 1703. To provide for an increase in the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census.

Also:

H. 1707. To amend the title and Sections 1 and 2 of Act No. 123, H. 130, Second Special Session 1963 (Acts 1963, p. 312), which authorizes the county commission to prescribe the times when county offices may be closed in certain counties classified on a population basis.

Also:

H. 1708. To amend the title and Section 1 of Act No. 182, H. 558, Regular Session 1963 (Acts 1963, p. 567), which provides for the compensation of county or deputy solicitors in certain counties classified on a population basis.

Also:

H. 1709. To amend the title and Section 1 of Act No. 130, H. 121, Special Session 1965 (Acts 1965, p. 183), which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

H. 924. To amend the title and Section 1 of Act No. 1188, H. 1414, Regular Session 1969 (Acts 1969, p. 2223), which provides for the reinstatement of driving privileges after suspension thereof in certain counties classified on a population basis.

Also:

H. 1710. To amend the title and Section 1 of Act No. 113, H. 254, Regular Session 1969 (Acts 1969, p. 392), which provides a county supplement to the per diem compensation of members of the county board of equalization in certain counties classified on a population basis.

Also:

H. 1711. To amend the title and Section 1 of Act No. 381, H. 939, Regular Session 1969 (Acts 1969, p. 751), which fixes the fee for issuance of a pistol permit by the sheriff; and provides for the distribution and use of such fees in certain counties classified on a population basis.

Also:

H. 1712. To amend the title and Section 1 of Act No. 114, H. 256, Regular Session 1969 (Acts 1969, p. 393), which authorizes the county commission to pay the salaries of clerks for the tax assessor and the tax collector in certain counties classified on a population basis.

Also:

H. 1713. To amend the title and Section 1 of Act No. 391, H. 987, Regular Session 1969 (Acts 1969, p. 766), which increases the compensation of members of boards of registrars in certain counties classified on a population basis.

Also:

H. 1714. To amend the title and Section 1 of Act No. 805, H. 1016, Regular Session 1969 (Acts of Alabama 1969, p. 1449), which relates to additional compensation paid official court reporters in all circuits composed of two counties, having two circuit judges, and in which one county has a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census.

Also:

H. 772. To repeal Act No. 84, H. 94, approved, February 9, 1956, Special Session 1956 (Acts of Alabama 1956, p. 125) entitled, "An Act To provide an optional plan by which any county governing body in all counties with a present or future population of 40,000 and less than 45,000 may establish two or more voting places within an election precinct, to direct the grouping of not more than 300 names of qualified registered voters within such precinct in alphabetical order and the assignment of such groups to a designated voting place; to require the publication of such group-lists and their respective assignments to voting places within said precinct; to provide that this law shall not apply to election precincts wherein voting machines are lawfully in use; to provide for the repeal of all laws in conflict herewith; and to provide when this Act shall become effective," and all acts amendatory thereto.

Also:

H. 773. To repeal Act No. 11, H. 15, approved, October 29, 1965, Third Special Session 1965 (Acts of Alabama 1965, p. 215) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters in such counties."

Also:

H. 778. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; to prohibit employers from requiring or requesting any employee or applicant for employment to waive his right to have his juvenile court record withheld from public inspection, as such right is accorded by Section 353, Title 13, Code of Alabama 1940; providing penalties for violations.

Also:

H. 1127. To regulate the tenure of employment of county employees having over fifteen years' service in counties having populations of not less than 22,000 nor more than 22,500, creating a Civil Service Board of Appeals, regulating tenure of employment for such employees and prescribing the authority and qualifications, terms, duties, and expenses of members of the board.

Also:

H. 1230. To amend Act No. 45, H. B. 29, Special Session 1967, approved April 3, 1967, creating a court in Covington County designated as the "Covington County Alabama Intermediate Court."

Also:

H. 1277. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Also:

H. 1382. Relating to counties having a population of not less than 38,100, nor more than 40,500 according to the last, or any subsequent federal decennial census, which are levying a franchise, excise or privilege license tax, under the provisions of Act No. 34, 1969, Special Session of the Alabama Legislature, allowing the county governing body to pay certain expenses for the county superintendent, and providing that such provision shall not be mandatory.

Also:

H. 1515. To authorize and require the governing body of Covington County to pay annually to the Board of Education of Covington County a lump sum in lieu of providing office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service and supplies required by the County Superintendent of Education of said county and his assistants; and to authorize and require the County Board of Education to provide such office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service, supplies, heating and cooling equipment out of the public school funds of Covington County.

Also:

H. 1573. To repeal Act No. 150, H. 487, Regular Session 1961, approved August 1, 1961, entitled "An Act To apply in all counties having a population of not less than 65,000 nor more than 95,000, according to the last or any subsequent Federal decennial census; to better secure the enforcement of laws in such counties, to further prescribe the duties of the Sheriffs and Solicitors in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1837. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Civil Cases in such Courts after the expiration of eight years from the date of final Judgments, provided that the final Judgments have not been revived within six years from date of such Judgments; but no authority is given herein to destroy the Consolidated Docket and Fee Books Sheets, Final Record Books or the Indices in Such Cases.

Also:

H. 1844. To amend the title and Section 1 of Act No. 370, H. 920, Acts of Alabama, 1969 Regular Session, (Acts of 1969, p. 739) which provided further for the compensation of certain bailiffs in certain counties classified on a population basis.

Also:

H. 1849. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to provide for salaries and source of payment therefor to members of the county commission of such counties.

Also:

H. 2087. Relating to inferior courts in lieu of all justices of the peace in a precinct in all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; prescribing and regulating the compensation and allowances of the judges of such courts and of the constable serving such courts; and providing for the clerks of the circuit court in such counties to serve as clerks of such inferior courts, prescribing the duties and compensation of such clerks.

Also:

H. 534. To provide that in any county in the State having a population of 600,000 or more according to the last or any subsequent federal census any person who in payment of any tax issues a worthless check or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty.

Also:

H. 535. To amend Section 4 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

H. 850. To apply only in counties having a population of 500,000 or more according to the last or any succeeding decennial federal census; to authorize any county board of education in such county to provide insurance against lost or damage by fire, lightning, windstorm, hail or other peril, and any or all school buildings or properties, equipment, furniture or supplies stored in such building which belong to said county board or in which such county board has an interest.

Also:

H. 1215. Authorizing any water works board of any city having a population of 300,000, or more, according to the last or any subsequent federal census to lease any land owned or controlled by said water works board to any public authority of the same city created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947 (Ala. Acts of 1947, p. 81 et seq.), for any consideration agreeable to the water works board and such public authority, and authorizing such water works board to enter into such lease when the only consideration therefor is the benefit accruing from the public use of the land for the purposes for which said Act No. 215 provides such public authority is created, subject to the conditions prescribed by this Act.

Also:

H. 1217. To amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 717 et seq.), as heretofore amended, which said Act established a retirement and pension system for the officers and employees of Jefferson County, Alabama.

Also:

H. 1395. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

Also:

H. 1396. Relating to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

H. 1397. To authorize the governing bodies of counties having a population of not less than 39,500 nor more than 41,750 according to the 1970 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Also:

H. 1398. To apply only to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; providing for the appointment of reserve deputies sheriff; defining said reserve deputies sheriff, and providing for the qualification, authority, duties, compensation, bond and term of office of such reserve deputies sheriff, and providing for the use of county equipment, and liability of sheriff for acts of said reserve deputies sheriff.

Also:

H. 1227. Relating to Morgan County; to provide further for the type of newspaper in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published in Morgan County.

Also:

H. 1228. Relating to Morgan County; fixing the fee for issuance of pistol permits by the Sheriff and providing for distribution and use of such fees.

Also:

H. 1401. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Prichard in Mobile County, Alabama, by removing certain areas from the limits of the City of Prichard and adding same to the limits of the City of Chickasaw, and to describe the areas so removed from the City of Prichard and so added to the City of Chickasaw.

Also:

H. 1402. To alter, rearrange and add to the limits of the City of Prichard in Mobile County, Alabama, and to alter and rearrange the limits of the City of Chickasaw in Mobile County, Alabama, by removing certain area from the limits of the City of Chickasaw and adding same to the limits of the City of Prichard, and to describe the area so removed from the City of Chickasaw and so added to the City of Prichard.

Also:

H. 1403. To alter, extend and add to the limits of the City of Chickasaw in Mobile County, Alabama, so as to include within the corporate limits of said city certain other territory in Mobile County, Alabama, contiguous to said city and to describe the area so added to the said limits of the City of Chickasaw.

Also:

H. 1030. Relating to judicial procedure in the Thirty-Fifth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Also:

H. 1031. To regulate further the excusing of persons from jury service in the Thirty-Fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 1408. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Also:

H. 1519. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

Also:

H. 1525. To provide that when any vacancy occurs on the governing body of any county of this State having a population of 500,000, or more, according to the last or any subsequent Federal census, a special election shall be held under the provisions of Chapter 19, Title 17, Code of Alabama of 1940, subject to the changes in the provisions of said Chapter 19, as are provided for by this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of House having signed the following House Bills, your signature thereto is requested:

H. 1564. To amend the title and Section 1 of Act No. 845, H. 1528, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1262) entitled "An Act to authorize the employment of an administrative assistant to the governing body of any county having a population of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1565. To amend the title and Section 1 of Act No. 439, H. 641, approved August 28, 1953 (Acts of Alabama 1953, Vol. I, Page 546) entitled "An Act relating to municipal corporations; providing that the governing body of any town (as defined by Section 5, Title 37, Code 1940) located within a county having a population of not less than 40,500 nor more than 45,000, according to the last or any subsequent federal decennial census, for which a corporation has been organized to operate a waterworks, sewer, gas, or electric system under the provisions of Act No. 175, S. 280, approved June 29, 1951, as amended, may increase the number of directors of such corporation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1696. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1590. Relating to cities having a population of not less than 135,000 nor more than 185,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Also:

H. 1591. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinances pursuant of Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1592. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Also:

H. 1593. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1594. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations.

Also:

H. 1595. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 954. To amend the title and Section 1 of Act No. 223, H. 325, Regular Session 1961 (Acts 1961, p. 257), which fixes the compensation of the deputies and other assistants to the sheriffs in certain counties classified on a population basis.

Also:

H. 955. To amend Section 1 of Act No. 375, H. 854, Regular Session 1963 (Acts 1963, p. 876), which authorizes the governing bodies of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Also:

H. 956. To amend the title and Section 1 of Act No. 14, H. 64, Special Session 1962 (Acts 1962, p. 22), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

Also:

H. 957. To amend Section 1 of Act No. 54, S. 15, Special Session 1964 (Acts 1964, p. 71), which relates to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide addi-

tional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Also:

H. 958. To amend the title and Section 1 of Act No. 302, H. 536, Regular Session 1965 (Acts 1965, p. 419), which provides for compensation of the secretary of the circuit solicitor in certain counties classified on a population basis.

Also:

H. 959. To amend the title and Section 1 of Act No. 304, H. 539, Regular Session 1965 (Acts 1965, p. 420), which provides an expense allowance payable from county school funds for the county superintendent of education of certain counties classified on a population basis.

Also:

H. 960. To amend the title and Section 1 of Act No. 134, H. 142, Special Session 1965 (Acts 1965, p. 185), which sets the salary of the stenographic secretary of the judge of the Intermediate Court of certain counties classified on a population basis.

Also:

H. 961. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts 1965, p. 183), which provides for the appointment and salary of a clerk by the register of the circuit court of certain counties classified on a population basis.

Also:

H. 962. To amend further Section 463 of Title 51, Code of Alabama 1940, as last amended, which levies license taxes on persons engaged in selling automobiles; levying a special license on auction sales of motor vehicles in certain counties classified on a population basis.

Also:

H. 963. To amend the title and Section 1 of Act No. 135, H. 143, Special Session 1965 (Acts 1965, p. 186), which regulates the compensation of the deputy or assistant circuit clerks of certain counties classified on a population basis.

Also:

H. 964. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Also:

H. 965. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

H. 967. To create and establish a Park and Recreation Board for the town of Livingston in Sumter County; to prescribe the composition, powers, and duties of said board, to provide for the necessary appropriations, and to provide for a director and staff for the board.

Also:

H. 979. Relating to the twenty-fourth judicial circuit; to provide a secretary for the district attorney; to provide for compensation thereof, and to provide for proportional payment by the counties constituting said circuit.

Also:

H. 983. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the NE¼ of Section 29, Township 17 N, Range 18 E, Montgomery County, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1602. To repeal Act No. 1005, S. 831, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1879) entitled, "An Act To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Pierce
Clark	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Weaver
Dozier	Jones	Pelham	Wilson
Edington	Lybrand		

—25

Nays:

—0

The Bill:

H. 1603. To repeal Act No. 17, H. 14, approved March 4, 1970, Special session 1970 (Acts 1970, p. 2617) entitled, "An Act Relating to all

counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1604. To repeal Act No. 31, H. 46, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2653) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Malone	Register	
Branyon	Harris	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1605. To repeal Act No. 453, S. 443, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 986) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of said county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1606. To repeal Act No. 154, S. 122, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Carr	Givhan	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1607. To repeal Act No. 155, S. 123, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 1608. To repeal Act No. 228, S. 140, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	Lybrand	Pelham	
Branyon	Fine	McLain	Pierce	
Carr	Foshee	Malone	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 1609. To repeal Act No. 58, S. 54, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 74) entitled, "An Act To amend Section 1, Act No. 154, S. 122, approved August 28, 1964, an act relating to the compensation of deputy sheriffs in counties having populations of not less than 42,000 nor more than 46,000 (Acts 1964, p. 219)."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Carr	Fine	King	Shelby	
Clark	Gilmore	Lindsey	Vacca	
Cook	Givhan	Littleton	Weaver	
Cooper	Hammond	McLain	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 1610. To repeal Act No. 59, S. 55, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 75) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000; providing for the payment of additional per diem allowances to members of the boards of equalization of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	McLain	Pierce	
Clark	Foshee	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1611. To repeal Act No. 61, S. 73, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 76) entitled, "An Act To relieve the Judge of Probate of any county or counties in population of 42,000 to 46,000 according to the 1960 Federal decennial census of any and all responsibility for failure to charge and collect affidavit fees on licensing of commercial vehicles during the period October 1, 1962 through January 18, 1965."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Gilmore
Bailes	Cook	Edington	Hammond
Branyon	Cooper	Fine	Harris

Horne	Littleton	Pierce	Vacca	
Jones	McLain	Register	Weaver	
King	Noonan	Shelby	Wilson	
Lindsey	Owen			—25
Nays:				—0

The Bill:

H. 1612. To repeal Act No. 62, S. 74, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 77) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; to provide for payment of extra per diem allowances to members of boards of registrars in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Bailes	Hammond	Littleton	Pelham	
Branyon	Harris	McLain	Pierce	
Carr	Hawkins	Malone	Register	
Dominick	Horne	Noonan	Shelby	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25
Nays:				—0

The Bill:

H. 1613. To repeal Act No. 96, S. 95, approved March 22, 1965, Special Session 1965 (Acts 1965, p. 110) entitled, "An Act To amend Act No. 917, SB 7, approved September 9, 1961 relating to the compensation of the deputy clerk of the circuit clerk of counties having populations of not less than 42,000 nor more than 46,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lybrand	Shelby	
Carr	Fine	McLain	Vacca	
Clark	Foshee	Malone	Weaver	
Cook	Gilmore	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25
Nays:				—0

The Bill:

H. 1614. To repeal Act No. 53, S. 4, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 71) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1615. To repeal Act No. 160, S. 338, approved July 23, 1965, Regular Session 1965, Acts 1965, p. 228) entitled, "An Act to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1616. To repeal Act No. 241, H. 919, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344) entitled, "An Act To apply only in counties having populations of not less than 42,000 nor more than 46,000; providing a clerk hire allowance for the county or deputy solicitor of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Carr	Fine	King	Pierce	
Clark	Foshee	Lybrand	Register	
Cook	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1617. To repeal Act No. 102, H. 313, approved June 27, 1963, Regular Session 1963 (Act 1963, p. 485) entitled "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Littleton	Register
Branyon	Hammond	Lybrand	Shelby
Carr	Hawkins	Malone	Vacca
Clark	Horne	O'Bannon	Weaver
Cook	Jones	Owen	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

H. 1618. To repeal Act No. 407, H. 1008, approved September 3, 1963, Regular Session 1963 (Acts 1963, p. 907) entitled, "An Act Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of certain county roads and bridges."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givian	McLain	Pierce
Clark	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Weaver
Dozier	Jones	Pelham	Wilson
Edington	Lybrand		

—25

Nays:

—0

The Bill:

H. 1619. To repeal Act No. 250, H. 962, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 361) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Branyon	Gilmore	Noonan	Shelby
Carr	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Weaver
Dozier	Jones	Pelham	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1620. To repeal Act No. 42, H. 128, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 257) entitled, "An Act Relating

to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Carr	Hammond	Malone	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1621. To repeal Act No. 179, S. 4, approved, August 23, 1966, Special Session 1966 (Acts 1966, p. 212) entitled, "An Act To regulate further the bail bond business in counties having populations of not less than 42,000 nor more than 46,000; amending Code of Alabama, 1940, Title 15, Section 201."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	Lindsey	Pierce	
Carr	Fine	Littleton	Register	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1622. To repeal Act No. 394, S. 224, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 534) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; providing a clerk hire allowance to the Register in Chancery in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pierce	
Bailes	Givhan	Lindsey	Register	
Branyon	Hammond	Lybrand	Shelby	
Carr	Harris	McLain	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 1623. To repeal Act No. 184, S. 60, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 249) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Branyon	Fine	Littleton	Pelham	
Carr	Foshee	Lybrand	Pierce	
Clark	Gilmore	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1624. To repeal Act No. 185, S. 61, approved May 14, 1969, Special Session 1969, (Acts 1969, p. 250) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the judge of the inferior court or intermediate court."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 1625. To repeal Act No. 186, S. 62, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act To provide expense allowances for tax assessors and tax collectors in all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Dominick	Fine
Branyon	Cook	Dozier	Foshee
Carr	Cooper	Edington	Givhan

Harris	Littleton	Owen	Vacca	
Horne	McLain	Pierce	Weaver	
Jones	Malone	Register	Wilson	
King	Noonan			—25
<i>Nays:</i>				—0

The Bill:

H. 1626. To repeal Act No. 187, S. 63, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Branyon	Harris	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

The Bill:

H. 1627. To repeal Act No. 188, S. 64, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an expense allowance for the coroner in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Noonan	Weaver	
Clark	Givhan	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25
<i>Nays:</i>				—0

The Bill:

H. 1628. To repeal Act No. 189, S. 65, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the circuit clerk in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	Lybrand	Pelham
Branyon	Foshee	McLain	Pierce
Carr	Gilmore	Malone	Register
Clark	Givhan	Noonan	Shelby
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1629. To repeal Act No. 100, H. 37, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 177) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the Register in Chancery in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Carr	Gilmore	King	Shelby
Clark	Givhan	Lindsey	Vacca
Cook	Hammond	Littleton	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1630. To repeal Act No. 101, H. 39, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 178) entitled, "An Act To apply only to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide additional funds for clerk hire for circuit clerks in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham
Carr	Fine	McLain	Pierce
Clark	Foshee	Malone	Shelby
Cook	Gilmore	Noonan	Vacca
Cooper	Harris	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1631. To repeal Act No. 102, H. 40, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 179) entitled, "An Act Relating to

counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Harris	Noonan	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1632. To repeal Act No. 154, H. 172, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Wilson	
Cooper	Hammond			—25

Nays: —0

The Bill:

H. 1633. Relating to Cullman County; to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Shelby	
Branyon	Fine	McLain	Vacca	
Carr	Givhan	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 1636. Relating to Cullman County; fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1638. Relating to Cullman County; providing an additional expense allowance to the judge of the inferior court or intermediate court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Carr	Fine	Littleton	Shelby	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1639. To authorize the city of Cullman to establish, maintain and operate a non-profit ambulance service.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1640. Providing for the salary of the Register in Chancery in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1642. Relating to Cullman County; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Fine	King	Pelham	
Carr	Givhan	Littleton	Pierce	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1643. Relating to Cullman County; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Shelby	
Carr	Gilmore	Littleton	Vacca	
Clark	Givhan	Lybrand	Weaver	
Cook	Hammond	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1644. Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of roads and bridges in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

H. 1647. To provide an expense allowance for the deputy or county district attorney in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Hawkins	Malone	Register	
Dominick	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1650. Providing a clerk hire allowance for the county or deputy district attorney of Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1653. Providing an additional expense allowance to the circuit clerk of Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1654. Relating to Cullman County; providing clerk-hire allowances for certain county officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 1656. To amend Code of Alabama, Title 15, Section 201, to regulate further the bail bond business, so as to provide an exception for Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Shelby	
Carr	Fine	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1652. To provide additional clerks for the tax assessor and the tax collector in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lybrand	Pelham
Carr	Foshee	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1657. Providing a clerk hire allowance to the Register in Chancery of Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Vacca
Clark	Givhan	McLain	Weaver
Cook	Hammond	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 1658. Relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Branyon	Edington	King	Shelby
Carr	Fine	Lindsey	Vacca
Clark	Gilmore	Littleton	Weaver
Cook	Givhan	McLain	Wilder
Cooper	Harris	Noonan	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 1660. To provide expense allowances for tax assessors and tax collectors in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Carr	Hammond	McLain	Register	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1662. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Givhan	Lindsey	Pierce	
Carr	Hammond	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1663. Relating to Cullman County; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Hammond	McLain	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 1664. To provide an allowance for expenses to the district attorney of judicial circuits composed of Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pelham
Carr	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Register
Cook	Gilmore	Noonan	Shelby
Cocper	Givhan	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1666. Regulating further the office of district attorney in Cullman County; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Malone
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Weaver
Clark	Givhan	Lybrand	Wilder
Cook	Hammond	McLain	Wilson
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 1667. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen
Bailes	Dozier	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Weaver
Cook	Harris	Noonan	Wilson
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

H. 1668. Relating to providing expense allowances for the chairman and members of the court of county commissioners of Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	Lybrand	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1669. Providing an expense allowance for the coroner in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Wilson	
Dozier	Harris			—25

Nays: —0

The Bill:

H. 1670. Relating to Cullman County; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Shelby	
Carr	Fine	Lindsey	Vacca	
Clark	Foshee	Littleton	Weaver	
Cook	Gilmore	Noonan	Wilder	
Cooper	Givhan	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1676. To repeal Act No. 18, H. 91, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 24) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	McLain	Pierce	
Carr	Harris	Malone	Register	
Dominick	Hawkins	Noonan	Shelby	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1677. To repeal Act No. 19, H. 99, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25

Nays:

—0

The Bill:

H. 1678. To repeal Act No. 190, S. 66, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 253) entitled, "An Act to authorize all cities having populations of not less than 10,800 nor more than 11,400 according to the most recent federal decennial census to establish, maintain and operate a non-profit ambulance service"

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Hammond	Malone	Register	
Branyon	Harris	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1679. To repeal Act No. 916, S. 6, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act To provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 42,000 nor more than 46,000 according to the most recent federal census, making the Act retroactive."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Wilder	
Cook	Harris	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1680. To repeal Act No. 917, S. 7, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act to apply in all counties having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 1681. To repeal Act No. 919, S. 9, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1480) entitled, "An Act To apply in all counties having a population of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Owen	
Bailes	Gilmore	King	Pelham	
Cook	Givhan	Lindsey	Pierce	
Cooper	Hammond	Littleton	Register	
Dominick	Harris	Noonan	Wilder	
Dozier	Hawkins	O'Bannon	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 1682. To repeal Act No. 15, H. 77, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lindsey	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1683. To repeal Act No. 16, H. 78, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 1684. To repeal Act No. 17, H. 79, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper

and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1740. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; regulating further the sale of alcoholic beverages in such counties; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1694. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Shelby
Carr	Gilmore	Lybrand	Weaver
Clark	Givhan	McLain	Wilder
Cook	Hammond	Malone	Wilson
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 1741. To repeal Act No. 730, H. 790 of the Regular Session of 1961 (Acts, 1961, p. 1044) entitled "An Act Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Shelby
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1792. To apply only in counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Shelby
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 1793. To repeal Act No. 930, H. 1380, Regular Session 1961 (Acts 1961, p. 1490), entitled, "An Act which creates the office of commissioner of licenses in counties having populations of not less than 100,000 nor more than 115,000, according to the last and any subsequent federal decennial census, which act provides for the appointment, powers, duties and authority of the commissioner and transfers certain duties of the probate judge, tax assessor and tax collector to the commissioner of licenses."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Malone	Shelby
Carr	Gilmore	Noonan	Weaver
Clark	Givhan	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1794. To repeal Act No. 652, H. 877, Regular Session 1967 (Acts 1967, p. 1472), entitled, "An Act To apply only in counties having populations of 100,000 nor more than 115,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles and prescribing penalties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	McLain	Weaver
Clark	Hammond	Malone	Wilder
Cook	Harris	Noonan	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

H. 1795. To create the office of commissioner of licenses in counties in Alabama having populations of not less than one hundred fifteen thousand (115,000) and not more than one hundred fifty thousand (150,000) according to the last and any subsequent decennial federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, rela-

tive to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 1816. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Noonan	Shelby	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 1874. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Carr	Hammond	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Cook	Horne	Owen	Weaver	
Dominick	Jones	Pelham	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1875. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Malone	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 1966. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lindsey	Pierce	
Carr	Fine	Littleton	Register	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Harris	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1994. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decen-

nial census; to provide for an annual clerk hire expense allowance to the probate judge of said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

H. 2046. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the last or any subsequent federal decennial census; to authorize the Clerk of the Circuit Court to hire clerical help and fixing the compensation and method of payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pelham
Carr	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Register
Cook	Harris	Lybrand	Shelby
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 2050. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of ex-officio judge of any county court exercising original jurisdiction over general misdemeanor cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Shelby
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2066. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Branyon	Fine	McLain	Shelby	
Clark	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2088. Relating to Pickens County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine the number of deputies and their salaries.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2090. To grant legislative relief to officers of counties having a population of not less than 110,000 and not more than 150,000 having been paid expenses under the provisions of Act No. 581, Acts of Alabama 1969, page 1068.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2091. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 2092. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama, 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2093. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	King			—25

Nays: —0

The Bill:

H. 2095. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2096. To repeal Act No. 298, H. 516, 1965 Regular Session of the Legislature of Alabama, approved August 10, 1965, relating to the authority of incorporated cities and towns within the State of Alabama having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census, to provide by ordinance for the levy and assessment of sales and use tax, parallel to the State levy of sales and use tax.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2094. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent Federal Decennial Census, to create a Planning Commission having certain powers, duties and regulations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2097. To repeal Act No. 10, S. 17, 1965 Second Special Session, approved September 21, 1965, relating to city recorder; providing for appointment of recorders in cities having a population of not less than 70,000 nor more than 100,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Givhan	Lindsey	Shelby	
Clark	Hammond	Littleton	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2098. To repeal Act No. 90, H. 214, 1965 Second Special Session, approved September 30, 1965, relating to off-street automobile parking facilities in cities having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Harris	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2099. To repeal Act No. 104, S. 239, 1965 Regular Session, providing further for the terms of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25
Nays:				—0

The Bill:

H. 2100. To repeal Act No. 401, H. 971, 1963 Regular Session, approved August 30, 1963, as amended, pertaining to the creation of Planning Commissions within municipalities having a population of not less than 70,000 nor more than 130,000 according to the most recent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Cooper	Horne			—25
Nays:				—0

The Bill:

H. 2101. To repeal Act No. 1217, H. 1479, 1969 Regular Session, approved September 13, 1969, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, authorizing said municipality to provide the municipal gas utility boards to make certain expenditures without prior consent and approval of the governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Cooper	Horne			—25
Nays:				—0

The Bill:

H. 2102. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session, 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Hammond	Noonan	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2103. To repeal Act No. 1215, H. 1477, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, and authorizing waterworks utility boards to make certain expenditures without the prior consent and approval of the governing bodies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2104. Authorizing all municipalities in the State which now have or may hereafter have a population of not less than 135,000 and not more than 185,000 inhabitants according to the 1970 or any subsequent Federal Decennial Census to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within such municipalities, or any accumulation of trash, rubbish, junk or debris, or any unsightly or dangerous walls, or any abandoned construction of any kind or nature, or motor vehicles or machinery not in operating condition, or any debris of a burned building, or any abandoned or unused swimming pool, or any abandoned wells or cisterns, to be a public nuisance and creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Clark	Foshee	McLain	Register	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2105. Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Cooper	Horne	Owen	Weaver	
Dozier	King			—25

Nays: —0

The Bill:

H. 2106. To repeal Act No. 395, H. 833, Regular Session, 1961, approved August 7, 1961, as amended, which said act relates to the election of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Hammond	Noonan	Shelby	
Carr	Harris	O'Bannon	Vacca	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Cooper	Lindsey			—25

Nays: —0

The Bill:

H. 2107. To repeal Act No. 209, S. 32, 1961 Special Session, approved September 15, 1961, providing for the adoption of a commission form of government in cities having a population of more than 70,000 and not more than 100,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 2108. Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2110. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2111. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Carr	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2112. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Harris	McLain	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Horne	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 2113. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Clark	Foshee	Littleton	Pierce	
Cook	Gilmore	McLain	Register	
Cooper	Givhan	Noonan	Shelby	
Dominick	Hawkins	O'Bannon	Vacca	
Dozier	Jones	Owen	Weaver	
Edington	King			—25

Nays:

—0

The Bill:

H. 2114. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2115. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2116. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Vacca
Clark	Givhan	Lybrand	Wilder
Cooper	Hammond	McLain	Wilson
Dominick	Harris		

—25

Nays:

—0

The Bill:

H. 31. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lybrand	Pierce
Branyon	Gilmore	Malone	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

S. 1235. To authorize the Etowah County Commission to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the Etowah County Commission, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Branyon	Givhan	Littleton	Pierce
Carr	Harris	Lybrand	Shelby
Clark	Hawkins	Malone	Vacca
Cooper	Horne	O'Bannon	Weaver
Dominick	Jones	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

H. 2117. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	O'Bannon	Vacca
Cook	Harris	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 2118. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Carr	Harris	McLain	Register
Clark	Hawkins	Noonan	Weaver
Cook	Horne	O'Bannon	Wilder
Cooper	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 2119. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board

of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	McLain	Register
Clark	Givhan	Noonan	Shelby
Cook	Hammond	O'Bannon	Vacca
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 2120. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	McLain	Register
Carr	Harris	Noonan	Shelby
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2121. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Carr	Hammond	Littleton	Pierce
Clark	Harris	McLain	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2123. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Lindsey	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2122. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 2124. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register
Clark	Hammond	Littleton	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2130. To provide the tax assessors and tax collectors of counties having populations of not less than 23,800 nor more than 23,925 an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham
Bailes	Foshee	McLain	Pierce
Branyon	Gilmore	Malone	Register
Carr	Givhan	Noonan	Shelby
Clark	Hammond	O'Bannon	Vacca
Cook	Jones	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 2154. To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Cook	Harris	McLain	Shelby
Cooper	Hawkins	Malone	Vacca
Dominick	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 2153. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2155. Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Cook	Gilmore	Lybrand	Register	
Cooper	Givhan	McLain	Shelby	
Dominick	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2156. To repeal Act No. 229, S. 148, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act to authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2157. To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Carr	Foshee	McLain	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2158. To repeal Act No. 350, H. 872, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487) entitled, "An Act relating to counties having a population of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Carr	Foshee	King	Pelham	
Cook	Gilmore	Lindsey	Pierce	
Cooper	Givhan	Littleton	Register	
Dominick	Hammond	Lybrand	Shelby	
Dozier	Harris	McLain	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

H. 2159. Relating to all counties having a population of not less than 53,000 nor more than 55,000 based on the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Cook	Givhan	Lybrand	Shelby	
Cooper	Harris	McLain	Vacca	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2160. To repeal Act No. 236, S. 428, approved August 16, 1967, Regular Session (Acts 1967, p. 612) entitled, "An Act to authorize all counties having populations of not less than 57,000 nor more than 49,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Givhan	McLain	Pierce	
Carr	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2161. To authorize counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in said counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Givhan	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2162. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Vacca	
Cook	Gilmore	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2163. To repeal Act No. 797, H. 972, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2164. Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pierce	
Carr	Gilmore	Lindsey	Register	
Cook	Givhan	Littleton	Vacca	
Cooper	Hammond	Lybrand	Weaver	
Dominick	Harris	McLain	Wilder	
Dozier	Horne	Owen	Wilson	
Fine	Jones			—25

Nays: —0

The Bill:

H. 2165. To repeal Act No. 465, H. 535, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1156) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than

49,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fees."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Carr	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2166. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2167. To repeal Act No. 1021, S. 875, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1901) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	Lindsey	Shelby	
Carr	Foshee	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2168. Providing additional allowances for clerk hire fund for the office of Probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Carr	Givhan	McLain	Register	
Cook	Hammond	Noonan	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2169. To repeal Act No. 798, H. 973, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Carr	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays: —0

The Bill:

H. 2170. Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2171. To repeal Act No. 109, H. 147, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 140) entitled, "An Act to regulate further the feeding of prisoners in jail in all counties having populations of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Carr	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lybrand			—25

Nays:

—0

The Bill:

H. 2172. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Cook	Gilmore	Noonan	Vacca	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2173. To repeal Act No. 795, H. 949, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1429) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2174. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2177. To abolish the Office of County Solicitor of St. Clair County, and to create in lieu thereof the office of Deputy District Attorney for St. Clair County and to provide for his duties, selection and compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	Lindsey	Shelby	
Carr	Hammond	Littleton	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2199. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, p. 1210) as last amended which provides housing authorities and municipalities within the State of Alabama with certain power in respect to urban renewal, so as to remove an exception relating to Houston County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

RESOLUTION

Messrs. Hawkins, Cook, King, Bailes, Vacca, Gilmore and Dominick offered the following Senate Joint Resolution, to-wit:

S. J. R. 96. MOURNING THE DEATH OF THREE COACHES OF VESTAVIA HILLS.

WHEREAS, the catastrophic accident that occurred on U. S. Highway 31 on Thursday, August 26, resulted in the death of three young coaches who were employed by the Vestavia Hills school system, as well as injury to several other persons; and

WHEREAS this body is deeply saddened that these three useful and productive careers have been so tragically terminated; and

WHEREAS it is the students and athletes of Vestavia Hills, their parents, and the people of Alabama who will suffer a loss as great as that of the families of these young men, since their future contribution to the youth of their community and to the state can never be fulfilled; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply mourns the passing of Robert Cooper Ray, Phillip M. Puccio, and Thomas H. Ward, and extends its deepest sympathy to their families; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the families of these dedicated young men.

Robert Cooper Ray, 2115 B Montreat Way, Vestavia Hills, Alabama 35216.

Phillip M. Puccio, 2405 Avenue I, Ensley, Birmingham, Alabama 35218.

Thomas H. Ward, 2628 Southview Drive, Vestavia Hills, Alabama 35216.

On motion of Mr. Hawkins, the Rules were suspended and said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2200. To provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	McLain	Register
Branyon	Harris	Malone	Vacca
Carr	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2217. Relating to all counties having populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census;

providing further for the manner of payment of the sheriff and his deputies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2220. Relating to counties having populations not less than 14,500 nor more than 15,500; to impose a privilege license or excise tax on sellers, distributors, storers, or users of malt or brewed beverages in such counties; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hammond	Noonan	Weaver	
Cook	Hawkins	Owen	Wilder	
Dominick	Horne	Pelham	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 2224. To allow the Clerk of the Circuit Court, and the Register of the Circuit Court in Equity, of the Sixth Judicial Circuit of Alabama, the option, within their own discretion, to determine whether they shall come within the provisions of Act No. 566, S. 117, Regular Session 1969 (Acts 1969, p. 1046).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2229. To provide for further clerical assistance to the jury commission in Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Horne	O'Bannon	Vacca	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2237. Changing the method of collecting and accounting for fees charged for the photographing and microphotographing of public records filed in the offices of the Clerk and Register of the Circuit Court of Madison County, Alabama, and repealing a portion of Act No. 464 of 1959.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2243. To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; and to establish the effective date of the act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Carr	Givhan	Lybrand	Register	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2255. Relating to Walker County; regulating costs and charges of certain courts in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2275. Relating to Hale County; to authorize the county commission to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Branyon	Fine	Littleton	Shelby	
Clark	Foshee	Lybrand	Vacca	
Cook	Gilmore	McLain	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2276. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Hale County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lindsey	Pelham	
Clark	Foshee	McLain	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2277. Relating to Hale County; regulating the insuring of public school buildings and the contents thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register	
Branyon	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25

Nays:

—0

The Bill:

H. 2278. To repeal Act No. 869, S. 467, approved September 3, 1965, Regular Session 1965 (Acts 1965, p. 1630), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000; regulating the insuring of public school buildings and the contents thereof in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Cook	Gilmore	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2279. To repeal Act No. 93, H. 237, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 126), entitled, "An Act To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Wilder	
Dominick	Hammond	Malone	Wilson	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2280. To repeal Act No. 756, H. 1432, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1079), entitled, "An Act to authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census, to cover the employees of the county under the Workmen's Compensation Act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Littleton	Pierce	
Clark	Gilmore	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2281. To repeal Act No. 558, H. 571, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1313), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000, fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Branyon	Fine	Lindsey	Shelby	
Clark	Foshee	Malone	Vacca	
Cook	Gilmore	Noonan	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2283. To repeal Act No. 877, H. 1221, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1585), entitled, "An Act Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Dozier	Foshee
Branyon	Cooper	Edington	Hammond
Clark	Dominick	Fine	Harris

Hawkins	Littleton	Pelham	Vacca	
Jones	Lybrand	Pierce	Wilder	
King	McLain	Shelby	Wilson	
Lindsey	Owen			—25
<i>Nays:</i>				—0

The Bill:

H. 2284. To repeal Act No. 157, H. 176, approved, May 14, 1969, Special Session 1969 (Acts 1969, p. 224), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 19,500 nor more than 20,000 according to the most recent federal decennial census, with retroactive effect."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Branyon	Hammond	McLain	Pierce	
Clark	Harris	Malone	Register	
Cook	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Weaver	
Edington	Littleton			25
<i>Nays:</i>				—0

The Bill:

H. 2285. To repeal Act No. 934, H. 1348, approved, September 12, 1969, Regular Session 1969 (Acts 1969, p. 1671), entitled, "An Act Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance, to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Foshee	McLain	Register	
Clark	Gilmore	Noonan	Shelby	
Cook	Givhan	O'Bannon	Vacca	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

The Bill:

H. 2286. Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation from the county treasury.

was taken up.

Mr. Branyon offered the following substitute for the Bill, H. B. 2286, to-wit:

SUBSTITUTE FOR H. B. 2286

A BILL TO BE ENTITLED AN ACT

Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County, each member of the county board of registrars, board of equalization, and jury commission shall receive fifteen dollars (\$15) per day for each day's attendance upon the session of such board or commission. As to members of the board of registrars, of this, ten dollars (\$10) per day shall be paid by the state as prescribed by Act No. 531, S. 101, Regular Session 1947 (General Acts 1947, p. 388), as amended, and the remaining five dollars (\$5) shall be paid from the general funds of the county, and as to members of the board of equalization and the jury commission such salary shall be paid as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Owen	Wilder	
Dominick	Harris	Pierce	Wilson	
Edington	King			—25

Nays: —0

And said Bill, H. B. 2286, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Owen	Wilder	
Dominick	Harris	Pierce	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2287. Relating to Hale County; to fix expense allowances of the county commission with retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Littleton	Pierce	
Clark	Foshee	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2288. Relating to Hale County; to authorize, direct, and require the county commission to cover the employees of the county under the Workmen's Compensation Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Gilmore	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2289. Relating to Hale County; to provide an additional expense allowance for the members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Owen	
Branyon	Givhan	Lybrand	Pelham	
Cook	Hammond	McLain	Pierce	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2290. Relating to Hale County; fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Clark	Harris	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2291. Relating to certain offices and officers of Bibb County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Owen	Weaver	
Dozier	Harris			—25

Nays: —0

The Bill:

H. 2292. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Bibb County; and the regulation of costs and charges of courts in said county.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lybrand	Pierce	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2293. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Bibb County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Givhan	Lybrand	Register	
Branyon	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Jones	Noonan	Weaver	
Dozier	King	O'Bannon	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 2294. Relating to Bibb County, providing further for the election of members of the governing body of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2295. To authorize the county governing body of Bibb County to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Cook	Givhan	McLain	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Hawkins	O'Bannon	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2296. To provide for reimbursing the chairman or other presiding officer and the members of the county governing body of Bibb County for certain expenses incurred in travel outside their county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Branyon	Fine	Littleton	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2297. To repeal Act No. 865, H. 1192, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1576) entitled, "An Act To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2298. To repeal Act No. 933, H. 1347, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1670) entitled, "An Act Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	Noonan	Vacca	
Cooper	Harris	Owen	Weaver	
Dozier	Jones	Pelham	Wilder	
Edington	King			—25

Nays: —0

BILL RECALLED AND RE-REFERRED

On motion of Mr. Fine, unanimous consent was granted for the Bill, H. B. 2343, to be recalled from the Standing Committee on Judiciary.

Mr. Fine then moved that said Bill, H. B. 2343, be re-referred to the Standing Committee on Commerce, Transportation and Common Carriers, which motion was adopted, and said Bill, H. B. 2343, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Commerce, Transportation and Common Carriers.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2299. To repeal Act No. 503, H. 1101, approved, August 20, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 743) entitled, "An Act To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2302. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2303. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Horne	O'Bannon	Vacca	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 2304. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Hammond	Littleton	Vacca	
Carr	Harris	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2305. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less

than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	McLain	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2306. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2307. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	McLain	Register	
Clark	Harris	Noonan	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2362. Relating to all counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 2377. Relating to counties having populations of not less than 175,000 nor more than 300,000 inhabitants according to the most recent or any subsequent federal decennial census, to empower any county planning commission now existing or which hereafter may be created in such counties to merge or consolidate with any consenting planning commission of an incorporated municipality in that county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Clark	Foshee	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2378. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to

apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Malone	Wilson	
Dozier	Harris			—25

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 1255. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Be It Enacted by the Legislature of Alabama:

Section One: The governing body of Madison County, Alabama, and the Madison County License Department are hereby granted authority to establish, when and where deemed necessary and advisable, offices of the County License Department in various locations throughout said county, separate and apart from the offices of said Department located in the Madison County Courthouse building at Huntsville, Alabama.

Section Two: Said offices shall be established at the direction of and operated under the authority and responsibility of the Direction of the Madison County License Department, who shall be and he hereby

is authorized and empowered to sell and to collect the fees and charges for automobile, truck, car, trailer, and boat tags and-or licenses at such offices when so established.

Section Three: The county governing body shall provide the Director of the License Department with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences as it may consider necessary for the proper and efficient operation of these various offices.

On or before August 15 of each year, the Director of the License Department shall file with the governing body of Madison County a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for the operation of these various offices during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October of each year and the budget so adopted shall make such provision with respect to the financial operation of the License Department as the county governing body may determine reasonable and proper.

Section Four: The county governing body is authorized and may charge a fee, not to exceed One (\$1.00) Dollar, in addition to all other fees or charges made or collected by the Madison County License Department and said charge shall be a convenience fee charged only to those persons who purchase automobile, truck, car, trailer and boat tags and-or licenses at such offices of said department which are established under and by authority of this Act and operated for the convenience of the citizens of Madison County, Alabama. The said fee shall be paid by the Director of the Madison County License Department to the governing body of said county and paid into the General Fund of said county. Said fee is authorized to offset or compensate Madison County for the operation of those offices located separate and apart from those provided for the Madison County License Department in the Madison County Courthouse and established under and by authority of this Act.

Section Five: The provisions of this Act are severable. If any part of of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section Six: All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 3, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,
Notary Public.

By Mr. McLain:

S. 1256. Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promul-

gate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection within the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. The governing body of Madison County is authorized to call an election of the qualified voters of said county to determine whether or not a special county license tax and registration fee be levied as hereinafter provided. The election provided for herein shall be called, held, conducted and canvassed and may be contested in the same manner as provided by law for the calling, holding, conducting and canvassing of county bond elections provided, however, the notice of election need be published only once a week in each of two consecutive weeks, the first such publication to be not less than ten days prior to the date of the election. Elections to authorize the levy of said special county license tax and registration fee may be held as often as ordered by the governing body of Madison County, but if the proposition is submitted to the voters and is defeated, another election shall not be held in one year thereafter.

Section 2. The governing body of Madison County shall declare the results of the election and, if a majority of the qualified voters participating at an election are found to have voted for the levy of the special license tax and registration fee, and if the governing body of the City of Huntsville files with the governing body of Madison County a certified copy of a duly adopted resolution so requesting, the governing body of Madison County may levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Madison County and upon every such vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county. The county license tax and registration fee shall become due on the due date of the state license and registration fee levied under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940 or any laws amendatory thereof or supplementary thereto, next following the levy of said county license tax and registration fee by the governing body of Madison County, and on the same day in each year thereafter.

Section 3. The License Director of Madison County shall collect the annual license tax and registration fee authorized by this Act from the owner of the motor vehicle at the time he collects the state license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Madison County, but the License Director

shall not be allowed any fee for collecting the county license tax and registration fee. Until the county license tax and registration fee has been paid, the License Director shall not issue a motor vehicle license tag for use on any motor vehicle upon which a license tax and registration fee is imposed pursuant to this Act.

Section 4. Motor vehicles owned and used by the state and counties or municipalities of this state, shall not be liable for the payment of the county license tax and registration fee authorized by this Act.

Section 5. Statutes providing for the purchase of any motor vehicle license on a monthly declining or half-year basis shall not apply to the license tax and registration fee authorized by this Act.

Section 6. The purchaser of any motor vehicle shall have four days from the date of acquisition within which to pay the county license tax and registration fee authorized herein.

Section 7. The governing body of Madison County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the county license tax and registration fee authorized by this Act and to expend so much of the proceeds thereof as may be necessary to collect and enforce the tax and to provide for the evidence of the payment thereof.

Section 8. No motor vehicle upon which a county license tax and registration fee is imposed pursuant to this Act shall be operated upon the public highways of Madison County until said tax and fee shall have been paid as herein provided.

Section 9. The proceeds of the county license tax and registration fee authorized by this act, less the cost of collecting, administering and providing the evidence of the payment thereto shall be used solely for the purpose of providing emergency medical treatment and transportation through the use of motor vehicles or aircraft to the sick and injured within Madison County. Said service and transportation shall be maintained in connection with the operation of the Huntsville Hospital Emergency room, or in connection with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama, and the proceeds of said license tax and fee shall be paid by the License Director of Madison County to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for the purposes herein enumerated. In the event the Huntsville Hospital shall be acquired by another public hospital corporation organized under the laws of the State of Alabama heretofore or hereafter enacted, the net proceeds of said county license tax and registration fee shall be paid over to such public hospital corporation for the aforesaid purposes and, within fifteen days after the end of each month, the License Director of Madison County shall turn over the net proceeds thereof to said public hospital corporation, whose duty it shall be to receipt therefor.

Section 10. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act, shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Charles B. O'Reilly, Jr. known to me, who being by me first duly sworn, deposes and says he is Advertising Director of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 7, 14, 21 and 23, 1971.

CHARLES B. O'REILLY, JR.,
Advertising Director.

Sworn to and subscribed before me this the 23rd day of August, 1971.

OPAL H. DILWORTH,
Notary Public.

By Mr. McLain:

S. 1257. To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Four (\$4.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Four (\$4.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

Be It Enacted by the Legislature of Alabama:

Section One: The Probate Judge of Madison County will charge a fee of One (\$1.00) Dollar for filing for record or for recording each and every instrument, paper, writing, document, or decree in his office, including but not limited to, each financing statement, deed, contract, mortgage of real or personal property, mechanic's lien, lis pendens, certificate of judgment, lease, assignment, bill of sale, restrictions, deed of trust, affidavit, marriage license, official bond, bond of personal representative such as executor or administrator, decree on lunacy inquisition, decree appointing guardians of minors or persons of unsound mind, decree appointing a guardian ad litem in any proceeding in the Probate Court, capias and certificate or charter to a private corporation.

Section Two: In addition to the fee to be collected by the Probate Judge as set forth in the preceding section of this Act, the Madison County Commission or any like governing body that may hereafter be created for the purpose of governing Madison County, may impose an additional fee for the recordation by the Probate Judge of the instruments and writings described in the preceding section of this Act

not to exceed an additional Four (\$4.00) Dollars. Under no circumstances may the additional fee provided for herein for the recording of such papers and instruments exceed Five (\$5.00) Dollars.

Section Three: By the tenth (10th) of the month following collection all funds so collected shall be paid by the Probate Judge into the treasury of Madison County and kept in a fund to be designated the Mental Health Fund. Expenditures from said fund shall be for the benefit and furtherance of the mental health program in Madison County, Alabama. The chairman of the Madison County Commission or like official shall have the power to act for the Madison County Commission or like governing body in the withdrawal and payment of monies from the Mental Health Fund.

Section Four: This Act is cumulative. Nothing herein contained shall alter or change any existing law relating to charges and fees to be collected by the Probate Judge of Madison County.

Section Five: The provisions of this Act are severable. If any section or provision of this Act is declared to be unconstitutional or invalid such declaration will not affect the constitutionality or validity of the remaining portions of this Act.

Section Six: This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 29, AUGUST 4, AUGUST 10, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,
Notary Public.

By Mr. McLain:

S. 1258. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be deposited in the general fund of such counties.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1259. To change the method of compensating the Sheriff of Madison County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the Sheriff of Madison County.

Be It Enacted by the Legislature of Alabama:

Section One: The Sheriff of Madison County shall be entitled to receive as compensation a salary of Eighteen Thousand (\$18,000.00) Dollars per annum.

Such salary shall be in lieu of all other compensation, remuneration or repayment of expenses heretofore provided by law, including, but not limited to, fees, commissions, allowances, percentages, charges and expenses for transferring prisoners and insane persons to and from points outside the county, allowances authorized for feeding prisoners and other charges heretofore paid such officer and such salary shall be payable in equal monthly installments out of the General Fund of the County.

Section Two: All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the Sheriff, hereafter shall be collected and paid into the General Fund of the County by the officer authorized by law to make such collection. Such payment into the General Fund of the County shall be made by the tenth (10) day of the month following collection.

Section Three: The county governing body shall likewise provide the Sheriff with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expense and such other conveniences as it may consider necessary for the proper and efficient operation of the Sheriff's office and shall furnish the Sheriff an adequate number of automobiles or other motor vehicles, which shall be repaired, maintained and serviced (including oil, gas, tires, battery service and lubrication necessary for their upkeep and operation; at the Madison County Highway Maintenance Shop, or elsewhere in case of emergency, at the expense of the General Fund of the County under such regulations as the county governing body may prescribe. The Sheriff shall have a chief deputy and such additional deputies as shall be provided in the budget adopted by the governing body of Madison County, Alabama for the operation of said office. Such chief deputy or deputies shall serve at the pleasure of the Sheriff.

On or before August 15 of each year, the Sheriff shall file with the governing body of the County a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for the operation of said office during the ensuing fiscal year. The governing body of the County shall adopt its budget not later than the first regular meeting in October of each year and the budget so adopted shall make such provision with respect to the financial operation of the office of the Sheriff as the county governing body may determine reasonable and proper.

Section Four: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section Five: All laws or parts of laws which conflict with this Act are repealed.

Section Six: This Act shall become effective immediately upon its passage and approval by the Governor or in the alternative at the earliest effective date allowed by law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 3, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM R. BAKER.
Notary Public.

By Mr. McLain:

S. 1260. Relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1261. To amend Section 93 of Title 12 of the Code of Alabama of 1940, so as to provide that counties may, after approval at a county bond election, issue and sell bonds for the purpose of acquiring, providing, constructing and equipping public school buildings, including sites therefor.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Harris:

S. 1262. To amend further the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49), as amended, which provides for expense for members of the boards of education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Pelham:

S. 1263. Relating to property taxation; to make it the duty of and to give the power and authority to the tax assessors and boards of equalization of each county in this state to equalize, value and assess in accordance with law all property in their respective counties; for the purpose of funding a program of equalizing property taxes, to authorize the governing bodies of counties in this State to make temporary loans in anticipation of the collection of taxes; to amend section 131, Title 51, Code of Alabama 1940 relating to the powers and duties of the department of revenue; and to repeal sections 132, 133, 134 and 135, Title 51, Code of Alabama 1940, all relating to the valuation and assessment of property subject to taxation.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. McLain:

S. 1264. Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate authorities of any city in Madison County, and the Board of Commissioners of Madison County, may establish within the city, or within the county, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all necessary rules and regulations for the control and management thereof. The corporate authorities of any city or cities within the county and the Board of Commissioners may unite in the establishment of such ambulance service, if deemed expedient, making it common for the use of the city and of the county, and in making of rules and regulations for the control and management thereof, and shall jointly have the same powers and authority above conferred on each.

Section 2. The governing body of any such city or the county may appropriate public funds, employ such personnel, and purchase and maintain such equipment and other facilities to aid in maintaining such service for benefit of the residents of the county and city and of citizens traveling within the county. Any ambulance service established under the provisions of this act may pick up or discharge patients beyond the boundaries of the city or county.

Section 3. The governing body of any such city or the county may by ordinance provide for operation of the ambulance service herein authorized and may authorize the service to charge and collect fees for services rendered, provided that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 3, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 27, 1971.

WILLIAM B. BAKER,
Notary Public.

My commission expires 12-17-73.

By Mr. Hammond:

S. 1265. Relating to all counties having populations of not less than 41,750 nor more than 45,000; providing for compensation or salary of the register of the circuit courts of such counties.

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1266. To apply only in counties having populations of not less than 41,750 nor more than 45,000; providing an expense allowance for judges of the county court in such counties.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1267. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act.

Committee on Local Legislation No. 1.

By Messrs. Edington, Pelham and Noonan:

S. 1268. To provide for funds for maintenance, operation and expansion of county mosquito, rodent and other vector control programs within the county health department under the direction of the county health officer in all counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, requiring financing by a one (1) mil property tax.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 1269. Relating to judicial procedure in the Twenty-Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to judicial procedure in the Twenty-Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. If the accused and his counsel and also the prosecuting attorney in the Twenty-Ninth Judicial Circuit of Alabama, in any prosecution for a felony, whether capital or non-capital, consent thereto in open court, the trial court in its discretion may permit the jury trying the case to separate during pendency of the trial whether the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to that accused but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 2. It shall be improper for the trial court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they consent to a separation of the jury pending the trial.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Janette M. Vincent, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1971.

JANETTE M. VINCENT.

Sworn to and subscribed before me August 31, 1971.

MARY M. JONES,
Notary Public.

By Mr. Weaver:

§. 1270. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Ninth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Ninth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Twenty-Ninth Judicial Circuit of Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant at any time and place provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now or hereafter in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor of upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Janette M. Vincent, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1971.

JANETTE M. VINCENT.

Sworn to and subscribed before me August 31, 1971.

MARY M. JONES,
Notary Public.

By Mr. Weaver:

S. 1271. To abolish the drawing of special venires in capital cases in the Twenty-Ninth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the drawing of special venires in capital cases in the Twenty-Ninth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. No special venire shall be ordered or drawn for the trial or trials of a defendant or defendants in capital felonies in the Circuit Court of the Twenty-Ninth Judicial Circuit of Alabama, but a defendant or defendants in capital felony cases shall be entitled to strike from a list of not less than thirty competent jurors obtained from the regular juries in the Court.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Janette M. Vincent, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1971.

JANETTE M. VINCENT.

Sworn to and subscribed before me August 31, 1971.

MARY M. JONES,
Notary Public.

By Mr. McLain:

S. 1272. To amend the title and Section 1 of Act No. 794, H. 1384, of the 1961 Regular Session, pertaining to the coroner in counties having a population of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census, so as to make the same applicable only to counties having a population of 150,000 nor more than 180,000 according to the last or any federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1273. To amend the title and Section 1 of Act 203, H. 169, 1966 Ex. Sess., pertaining to an expense allowance for circuit court judges in counties having a population of not less than 150,000 nor more than 300,000, according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000, and to counties having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1274. To amend Act No. 591, H. 972, 1965 Regular Session, pertaining to probate recording systems in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census, so as to make the same apply only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1275. To amend Act No. 323, H. 828, 1959 Regular Session, pertaining to exemption of medical research facilities from building and zoning restrictions and other regulations in counties having a population of not less than 125,000 nor more than 225,000 according to the most recent federal decennial census so as to make the same applicable only to counties having populations of not less than 150,000 and not more than 180,000 according to the last or any subsequent decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1276. To amend the title and Section 1 of Act No. 428, H. 933, of the 1961 Regular Session, pertaining to the establishment of a personnel system in counties having a population of not less than 150,000 nor more than 300,000 and for municipalities in such counties having a population of 5,000 or more people, according to the last or any federal decennial census, so as to make the same applicable only to counties having a population of not more than 150,000 nor less than 180,000 according to the last or any federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1277. To amend the Title and Section 1 of Act 25, H. 47, 1962 Ex. Sess., p. 36, applying to the payment of benefits when employee is disabled or killed in counties having a population of 150,000 nor more than 300,000 according to the last or the 1960 or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1278. To amend the title and Section 1 of Act No. 416, H. 917, 1955 Regular Session, approved September 9, 1955, pertaining to employees pensions in counties having a population of not less than 125,000 nor more than 225,000 according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1279. To amend the title and Section 1 of Act No. 321, S. 344, 1955 Regular Session, approved August 30, 1955, pertaining to pension or retiring allowance plan for employees in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent decennial census.

Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2379. To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2380. To repeal Act No. 990, S. 596, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1755) entitled, "An Act to provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Pierce	
Carr	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2381. To repeal Act No. 624, S. 466, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1138) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Shelby	
Cooper	Givhan	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2382. To repeal Act No. 628, H. 820, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1431) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for clerk hire allowances for certain county officers, repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	Owen	Wilder	
Dozier	Horne	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2383. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2384. To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2385. To repeal Act No. 169, H. 153, approved September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2123) entitled, "An Act to authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than forty-seven thousand (47,000) nor more than forty-nine thousand (49,000) inhabitants according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Carr	Hammond	Malone	Vacca
Cook	Harris	Owen	Weaver
Cooper	King	Pelham	Wilson
Fine	Lindsey		

—25

Nays:

—0

The Bill:

H. 2386. To repeal Act No. 251, H. 226, approved September 4, 1964, Special Session 1964 (Acts 1964, p. 348) entitled, "An Act to provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register
Bailes	Fine	Lindsey	Shelby
Carr	Foshee	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2387. To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit, and to fix the amount and method of payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Pierce
Carr	Hammond	Malone	Register
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edington	Lybrand		

—25

Nays:

—0

The Bill:

H. 2388. To repeal Act No. 806, H. 1018, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1450) entitled, "An Act relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Hawkins	McLain	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2389. Authorizing the district attorney of the Twenty-seventh Judicial Circuit to appoint a secretarial assistant, to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2390. To repeal Act No. 1000, S. 799, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1866) entitled, "An Act relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register
Carr	Hammond	Malone	Shelby
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	Jones	Pierce	Wilson
Edington	Lybrand		

—25

Nays:

—0

The Bill:

H. 2391. To increase the compensation of the judge of the County Court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Shelby
Cook	Gilmore	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2392. To repeal Act No. 424, H. 1012, approved August 16, 1965, Regular Session 1965 (Acts 1965, p. 625) entitled, "An Act to provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register
Bailes	Fine	McLain	Shelby
Carr	Hammond	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2393. To provide additional compensation for the official court reporters of the Twenty-seventh Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Cook	Gilmore	Lybrand	Shelby
Cooper	Givhan	McLain	Vacca
Dominick	Hammond	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2394. To repeal Act No. 548, S. 609, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1297) entitled, "An Act relating to all counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman and members of the county governing body."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham
Bailes	Givhan	McLain	Pierce
Carr	Hammond	Malone	Shelby
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2395. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Malone	Register
Cook	Gilmore	Noonan	Shelby
Cooper	Givhan	O'Bannon	Vacca
Dominick	Hammond	Owen	Weaver
Dozier	Harris		

—25

Nays:

—0

The Bill:

H. 2396. To repeal Act No. 497, S. 395, approved September 14, 1963, Regular Session 1963 (Acts 1963, p. 1065) entitled, "An Act to authorize circuit solicitors of circuits composed of only one county

with a population under 500,000 and having two courthouses where circuit court is required by law to be held to employ a secretarial assistant; to prescribe the powers, duties and compensation of such secretarial assistant, and to provide for payment of such compensation from the general fund of the county composing such circuit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2390. To amend further Section 1 of Act No. 84, H. R. 115, Regular Session 1963 (Acts 1963, p. 464) as amended, which act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Vacca	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	Lindsey			—25

Nays: —0

The Bill:

H. 2399. To amend further Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), as amended, which Act provides further for the expense allowance for members of the governing body of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 2400. To repeal Act No. 155, H. 173, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Cook	Gilmore	McLain	Vacca
Cooper	Hammond	Noonan	Weaver
Dominick	Hawkins	Owen	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2452. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Baldwin County and municipalities therein to levy and collect additional property taxes for public library purposes, providing for the rate of the tax and the manner in which elections under this amendment shall be called.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 2454. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to provide that any person willfully retaining any property on loan from a public library or other educational institution or having lost the same, fails to tender the replacement value thereof, shall after thirty days notice be guilty of a misdemeanor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Cooper	Gilmore
Bailes	Clark	Fine	Givhan
Branyon	Cook	Foshee	Hammond

Harris	Malone	Register	Weaver	
King	Noonan	Shelby	Wilder	
Lybrand	Owen	Vacca	Wilson	
McLain	Pierce			—25
<i>Nays:</i>				—0

The Bill:

H. 2456. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the probate judge of any such county to make official visits to the precincts within his county and providing for payment of certain expenses incurred in such visits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Carr	Hammond	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

The Bill:

H. 2459. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25
<i>Nays:</i>				—0

The Bill:

H. 2489. Relating to Dallas County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing that the tax shall not become effective until an election on levying the

tax has been held and a majority of the electors voting therein have approved the tax.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Gilmore	Lindsey	Pierce
Carr	Givhan	Littleton	Register
Clark	Harris	Lybrand	Shelby
Cook	Hawkins	McLain	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 2495. To provide further for purging the lists of registered voters in Washington County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham
Bailes	Foshee	McLain	Pierce
Branyon	Gilmore	Malone	Register
Carr	Givhan	Noonan	Shelby
Clark	Hammond	O'Bannon	Vacca
Cook	Harris	Owen	Wilder
Cooper	Lindsey		

—25

Nays:

—0

The Bill:

H. 2498. To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Harris	McLain	Vacca
Carr	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2499. Relating to Marengo County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the probate judge and the collection, appointment, and distribution of the proceeds of the tax; prescribing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Hammond	Noonan	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Cooper	Lindsey			—25

Nays:

—0

The Bill:

H. 2500. Legalizing the sale of draft or keg beer or malt beverages in Marengo County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 2501. Relating to Marengo County; to prohibit the consumption and sale or giving away of alcoholic beverages for the purpose of consumption on the premises of retail licensees located outside the police jurisdiction of any municipality, unless a license therefor has been issued by the Alcoholic Beverage Control Board; to authorize municipal governing bodies to prohibit on-premises consumption and sale or giving away for the purpose of consumption of alcoholic beverages, unless a license therefor has been issued by said Board; and prescribing penalties for violation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hammond	Jones
Clark	Dozier	Harris	Lindsey
Cook	Edington	Hawkins	Lybrand
Cooper	Givhan	Horne	McLain

Malone	Owen	Vacca	Wilder	
Noonan	Pelham	Weaver	Wilson	
O'Bannon	Pierce			—25
Nays:				—0

The Bill:

H. 2502. To establish a Sumter County Court of Record for Sumter County, Alabama, to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure for said Court; to provide a fine and forfeiture fund for said Court; and to abolish the County Court of Sumter County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	Lindsey			—25
Nays:				—0

The Bill:

H. 2511. Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; to provide that the county governing body and the city governing body of the largest city in said county shall each pay Mr. Olen H. Stewart \$100 apiece as a result of damages sustained to his vehicle because of a manhole cover being left off a city-county project.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25
Nays:				—0

The Bill:

H. 2563. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Foshee	Lindsey	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Hammond	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Dominick	Horne	Owen	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2564. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dozier	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2565. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Cook	Gilmore	Littleton	Register
Cooper	Hammond	Lybrand	Shelby
Dominick	Hawkins	McLain	Vacca
Dozier	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2566. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2575. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2576. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1118. To provide further for the form of government of cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census; authorizing abandonment of the existing form of government and adoption of a mayor-council form of government, and describing the appointment, election,

compensation, powers, duties, and authority of municipal officers and employees under such mayor-council form of government; providing for a referendum of the qualified electors to decide whether to adopt said new form of city government.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Edington	Hawkins			—25

Nays: —0

The Bill:

H. 1119. Relating to cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census, to provide for the regulation of campaign expenditures in the municipal elections of such cities; to provide for the reporting and investigating of alleged violations of any of the provisions of this act; to describe the methods of appeal from such decisions and to describe the penalties for any violations of these provisions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Clark	Foshee	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	Lindsey	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

H. 1787. To create within any county in this state having a population of not less than 150,000, nor more than 180,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations; to make it unlawful for any parent, guardian, or other person to aid, encourage or cause any child under eighteen years of age to become or remain dependent, neglected or delinquent, to provide for appeals from the judgments or orders of the Court, and to provide, when such orders shall be suspended pending appeal, for the administering of oaths and issuing of warrants; to provide for transfers from the Juvenile Court to other courts; and to provide for expenses for the Judge of said court when attending schools or seminars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Owen	
Bailes	Givhan	Lybrand	Pierce	
Branyon	Hammond	McLain	Sheiby	
Carr	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1891. To create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City the Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Lybrand	Wilder	
Cook	Hammond	McLain	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 1991. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for the establishing of rules and regulations governing the condemning and removing property within the city limits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Bailes	Foshee	Lindsey	Shelby
Carr	Gilmore	Littleton	Vacca
Clark	Givhan	Lybrand	Weaver
Cook	Hammond	McLain	Wilder
Dozier	Harris	Malone	Wilson
Edington	Hawkins		

—25

Nays:

—0

The Bill:

H. 2049. To amend Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees who are totally disabled as a result of injuries received in the performance of their official duties in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Owen
Clark	Givhan	Lybrand	Pierce
Cook	Hammond	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 2234. Relating to all counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide \$15.00 per day for each of the members of the Board of Registrars while said Board is in session, and to provide the method of payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Malone
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 2235. Relating to counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide for a sheriff allowance for feeding prisoners and

to further provide for the sheriff to retain the fees and allowances for transporting insane and juvenile prisoners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Weaver
Clark	Givhan	Noonan	Wilder
Cook	Hammond	O'Bannon	Wilson
Dozier	Harris		

—25

Nays:

—0

The Bill:

H. 2236. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide that the county governing body of any such county that levies any tax on persons selling or distributing malt or brewed beverages in such counties may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure and shall deduct all reasonable expenses for collection and enforcement of such tax from the proceeds thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Malone
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Wilson
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 2333. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 34, 35 and 36, Township 16 N, Range 17 E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	Lindsey	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2334. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the northeast corner of Section 6, T15N, R18E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Vacca	
Carr	Givhan	Lybrand	Weaver	
Clark	Hammond	McLain	Wilder	
Cook	Harris	Malone	Wilson	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 2335. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 28, 29, 32 and 33, Township 16 N, Range 18 E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	Lindsey	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 2338. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16N, Range 18 E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2406. To amend the title and Section 1 of Act No. 921, H. 1328, Regular Session 1969 (Acts 1969, p. 1660) which exempts art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen
Bailes	Givhan	Lybrand	Pierce
Branyon	Hammond	McLain	Shelby
Carr	Harris	Malone	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Jones	O'Bannon	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 2407. To amend the title and Section 1 of Act No. 97, S. 105, Special Session 1965 (Acts 1965, p. 111) which regulates the per diem pay of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Littleton	Shelby
Branyon	Gilmore	Lybrand	Vacca
Carr	Givhan	McLain	Weaver
Dominick	Hammond	Malone	Wilder
Dozier	Jones	Noonan	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2409. To repeal Act No. 244, H. 502, approved August 19, 1963, Regular session 1963 (Acts 1963, p. 653), entitled, "An Act to provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	Lindsey	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2411. To amend the title and Section 1 of Act No. 165, H. 215, Special Session 1965 (Acts 1965, p. 216) as last amended which fixes the fee for the issuance of a pistol permit by the sheriff, and provides for the disposition and use of such fee in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce	
Bailes	Foshee	Lindsey	Shelby	
Branyon	Gilmore	Littleton	Vacca	
Carr	Givhan	Lybrand	Weaver	
Clark	Hammond	McLain	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 2412. To amend the title and Section 1 of Act No. 1008, S. 843, Regular Session 1969 (Acts 1969, p. 1882) which provides for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	O'Bannon	
Bailes	Foshee	Littleton	Owen	
Branyon	Gilmore	Lybrand	Pierce	
Carr	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 2413. To amend the title and Section 1 of Act No. 231, S. 402, Regular Session 1969 (Acts 1969, p. 555) which provides for payment to the Recorder of the Recorder's Court for ex officio services rendered in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$5,100 per annum, payable in 12 equal monthly installments from the county treasury; to provide for payment to the Prosecuting Attorney of the Recorder's Court for ex officio services in the prosecution of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$3,000 per annum, payable in 12 equal monthly installments out of the county treasury in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce
Carr	Hammond	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Jones	O'Bannon	Wilder
Dozier	Lindsey	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2414. To amend the title and Section 1 of Act No. 145, H. 541, Regular Session 1969 (Acts 1969, p. 418) which provides further for the duties of the judge of probate; to authorize the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen
Branyon	Foshee	Lybrand	Pierce
Carr	Gilmore	McLain	Vacca
Cook	Givhan	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 2415. To amend the title and Section 1 of Act No. 144, H. 540, Regular Session 1969 (Acts 1969, p. 416) which provides further for the duties of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Bailes	Foshee	Lindsey	Shelby
Carr	Gilmore	Littleton	Vacca
Clark	Givhan	Lybrand	Weaver
Cook	Hammond	Malone	Wilder
Dozier	Harris	Owen	Wilson
Edington	Hawkins		

—25

Nays:

—0

The Bill:

H. 2416. To repeal Act No. 971, H. 1405, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1716), entitled, "An Act to provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation status and tenure of office and providing for the payment of their salaries."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Bailes	Foshee	Lindsey	Shelby
Branyon	Gilmore	Littleton	Vacca
Carr	Givhan	Lybrand	Weaver
Clark	Hammond	McLain	Wilder
Cook	Harris	Owen	Wilson
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

H. 2417. To amend the title and Section 1 of Act No. 369, H. 917, Regular Session 1969 (Acts 1969, p. 738) which fixes the compensation of the judge of probate, regulates the payment of same, and requires the judge of probate to pay into the County Treasury of said counties all costs and charges of court, fees, and commissions authorized by law to be collected by said judge of probate as other monies belonging to said county are paid, provided that the salary herein prescribed shall not affect any expense allowance heretofore provided, and repeals conflicting laws, specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792) in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2418. To amend the title and Section 1 of Act No. 685, H. 1093, Regular Session 1957 (Acts 1957, p. 1036) which provides for the election of the members of the County Commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Carr	Foshee	McLain	Shelby	
Clark	Gilmore	Malone	Vacca	
Cook	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2419. To amend the title and Section 1 of Act No. 288, S. 319, Regular Session 1955 (Acts 1955, p. 654) as last amended, which defines, regulates and licenses barbers and barber colleges, and other like businesses; to create a barber's Commission and define the powers and duties of said Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions thereof in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 2420. To amend the title and Section 1 of Act No. 250, S. 312, Regular Session 1959 (Acts 1959, p. 810) as last amended, which creates a domestic relations division of the circuit court; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Clark	Givhan	Lybrand	Pierce	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 2421. To amend the title and Section 1 of Act No. 35, S. 34, Regular Session 1963 (Acts 1963, p. 120), which encourages medical and scientific research and the establishment of medical research facilities and the development of scientific research devices by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees charges and limitations in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce
Bailes	Foshee	McLain	Shelby
Branyon	Gilmore	Malone	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Hammond	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2422. To amend the title and Section 1 of Act No. 176, S. 372, Regular Session 1967 (Acts 1967, p. 536) which distributes a portion of the State Gasoline Excise Tax to be paid pursuant to the provisions of Section 5(b) of Act No. 224 in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Littleton	Shelby
Branyon	Gilmore	Malone	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Hammond	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2423. To amend the title and Section 1 of Act No. 654, H. 1275, Regular Session 1961 (Acts 1961, p. 792) which declares the public policy of the State with respect to violations of Section 420, Title 14, Code of Alabama (1940) as amended by certain subsequent Acts; determines that prosecution and the imposition of criminal penalties are inadequate deterrents to violations of that Act and that the remedy at law is insufficient, declares violations of that statute to be a legal nuisance; provides certain exemptions; prevents unfair competition among merchants through violations of that statute; provides procedures for prescribing evidentiary presumptions for the Act's enforcement by injunction, confers jurisdiction for enforcement upon equity courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Carr	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Givhan	McLain	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2424. To amend the title and Section 1 of Act No. 341, H. 741, Regular Session 1951 (Acts 1951, p. 629) which provides for the payment of benefits to employees of certain counties who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of certain counties who are killed in the performance of their official duties in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Owen	
Carr	Givhan	Lybrand	Pierce	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2426. To amend the title and Section 1 of Act No. 50, H. 110, Special Session 1962 (Acts 1962, p. 69) which provides the procedure for initiating complaints under Act 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940 in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	Littleton	Vacca	
Clark	Givhan	Lybrand	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2427. To amend the title and Section 1 of Act No. 22, S. 15; 2nd Special Session 1963 (Acts 1963, p. 190) which provides additional

compensation or salary for the Official Court Reporters in all Circuit Courts in certain counties classified on a population basis; and providing for the payment of said salary in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2428. To amend the title and Section 1 of Act No. 122, H. 117, Special Session 1969 (Acts 1969, p. 192) which provides additional compensation for the official court reporters in all circuit courts and provides for the payment thereof in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Givhan	McLain	Weaver	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 2429. To amend the title and Section 1 of Act No. 451, H. 995, Regular Session 1961 (Acts 1961, p. 492) which provides for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2430. To amend Section 12 of Act No. 412, S. 261, Regular Session 1945 (Acts 1945, p. 647) as last amended, which provides for the adoption, selection, purchase, and distribution of textbooks for the public schools of Alabama in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	McLain	Shelby	
Carr	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2431. To amend the title and Section 1 of Act No. 429, H. 934, regular Session 1961 (Acts 1961, P. 466) which authorizes the Governing body of the county to employ an administrative assistant, provides for the qualifications of said person, prescribes his duties and fixes his compensation in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 2432. To amend the title and Section 1 of Act No. 1019, S. 604, Regular Session 1961 (Acts 1961, p. 1598) which provides for the appointment, duties, qualifications, term, compensation and assistant of the coroner in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Clark	Givhan	McLain	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2433. To amend the title and Section 1 of Act No. 767, H. 1472, Regular Session 1961 (Acts 1961, p. 1107) which relates to the operation of boards of equalization in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2434. To amend the title and Section 1 of Act No. 146, H. 159, Special Session 1969 (Acts 1969, p. 210) which fixes an expense allowance of the County Commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2435. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 180,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961 and October 20, 1969.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Clark	Foshee	Lybrand	Pierce	
Cook	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Vacca	
Dominick	Hammond	Noonan	Wilder	
Dozier	Harris	O'Bannon	Wilson	
Edington	Hawkins			—25

Nays: —0

The Bill:

H. 2436. To amend the title and Section 1 of Act No. 203, H. 169, Special Session 1966 (Acts 1966, p. 230) which provides expense allowances for circuit court judges in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Givhan	McLain	Pierce	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 2437. To amend the title and Section 1 of Act No. 112, H. 165, Special Session 1966 (Acts 1966, p. 142) which provides that the county governing body in regulating and providing for the use of voting machines may divide any voting precinct into territories, designate each territory a voting center at which qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center, prescribe the duties of such election officers, and fix their compensation in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Littleton	Shelby	
Carr	Foshee	McLain	Vacca	
Clark	Givhan	Noonan	Wilder	
Cook	Harris	O'Bannon	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 2438. To repeal Act No. 55, H. 155, approved September 30, 1965, 2nd Special Session 1965 (Acts 1965, p. 81), entitled "An Act to provide that the board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 250,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Seven Hundred and NO/100 (2,700.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Eighteen Hundred and NO/100 (1,800.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Harris	Noonan	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 2439. To amend the title and Section 1 of Act No. 380, H. 939, Regular Session 1957 (Acts 1957, p. 508) as last amended which authorizes the county commission to pay pensions to certain former employees of the county in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 2440. To amend the title and Section 1 of Act No. 183, S. 181, Special Session 1966 (Acts 1966, p. 216) which fixes supplemental salaries and expense allowances of District Attorneys; to provide such supplemental salaries and expense allowances shall be paid from the General Fund in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	O'Bannon	
Bailes	Gilmore	Littleton	Owen	
Carr	Givhan	Lybrand	Pierce	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 2441. To amend the title and Section 1 of Act No. 30, S. 103, Special Session 1966 (Acts 1966, p. 53) which provides for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Lybrand	Vacca	
Clark	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 2442. To repeal Act No. 258, H. 202, approved September 7, 1964, Special Session 1964 (Acts 1964, p. 356), entitled, "An Act To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone
Bailes	Edington	Jones	Owen
Carr	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Shelby
Cook	Gilmore	Lybrand	Wilder
Cooper	Hammond	McLain	Wilson
Dominick	Harris		

—25

Nays:

—0

The Bill:

H. 2443. To repeal Act No. 516, H. 1025, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 617), entitled, "An Act To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Shelby
Carr	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2444. To repeal Act No. 1207, H. 1454, approved October 20, 1969, Regular Session 1969 (Acts 1969, p. 2248), entitled, "An Act To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor

more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2445. To amend the title and Section 1 of Act No. 116, S. 195, Regular Session 1957 (Acts 1957, p. 164) which provides for the appointment of bailiffs for the circuit courts; and to regulate their compensation and provide for the payment thereof in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2446. To repeal Act No. 979, S. 396, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1557), entitled, "An Act to provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000 and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	Lindsey	Owen	
Branyon	Fine	Lybrand	Pierce	
Carr	Foshee	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 2447. To amend the title and Section 1 of Act No. 204, H. 399, Special Session 1966 (Acts 1966, p. 203) which fixes expense allowances of probate judges in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Malone	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2448. To amend the title and Section 1 of Act No. 52, S. 50, Special Session 1967 (Acts 1967, p. 89) which provides for an ambulance service either on a contract basis or by the establishment and operation of a non-profit service in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Owen	
Branyon	Foshee	Lybrand	Pierce	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Hawkins	Noonan	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1972. To authorize any county having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or

several, and whereunder the lessor is a public building authority, for a maximum period of twenty-five (25) years, to provide office space or to pay the expenses of providing office space for a federal, state, county or municipal agency or certain public corporations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Noonan	
Bailes	Gilmore	King	Pelham	
Branyon	Givhan	Lindsey	Shelby	
Clark	Hammond	Littleton	Vacca	
Cooper	Harris	Lybrand	Weaver	
Dominick	Hawkins	McLain	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

H. 1829. To amend the title and Section 1 of Act No. 237, S. 459, Regular Session 1967 (Acts 1967, p. 613), which provides for additional compensation for registrars in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Foshee	King	Pelham	
Carr	Givhan	Littleton	Register	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1830. To amend the title and Section 1 of Act No. 417, H. 452, Special Session 1966 (Acts 1966, p. 562), which provides for compensation for members of the jury commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1831. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which provides for regulation of municipal elections in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Clark	Hammond	Noonan	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 1832. To amend the title and Section 1 of Act No. 678, S. 879, Regular Session 1969 (Acts 1969, p. 1213), which provides for appropriation of funds for public buildings and furnishings in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1833. To amend the title and Section 1 of Act No. 106, S. 52, Second Special Session 1965 (Acts 1965, p. 144), which provides for the taking of fish from public streams in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 1835. To amend the title and Section 1 of Act No. 79, S. 60, Special Session 1962 (Acts 1962, p. 101), which provides for the licensing of and regulating the operation of and hunting on privately owned hunting preserves in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2364. To transfer the duties of the probate judge in the matter of redeeming lands sold in Shelby County for taxes as provided by Article 5, Chapter 14, Title 51, Code of Alabama 1945 as amended, to the tax collector.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2365. To authorize the Clerk of the Law and Equity Court of Shelby County and any successor inferior court to remove and destroy certain court files after five years after final disposition of such cases and to excuse the Clerk of such court from making a final record in civil and criminal cases determined in such court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Register	
Clark	Gilmore	Malone	Vacca	
Cooper	Hammond	O'Bannon	Weaver	
Dominick	Harris	Owen	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2512. To amend the title and Section 1 of Act No. 139, H. 136, Special Session 1962 (Acts 1962, p. 181), which fixes additional compensation and allowance of certain election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2513. To amend the title and Section 1 of Act No. 187, H. 242, First Special Session 1964 (Acts 1964, p. 253), which regulates the pay of members of the county board of equalization, and provides for the payment of additional compensation from the county treasury in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2514. To amend the title and Section 1 of Act No. 186, H. 241, First Special Session 1964 (Acts 1964, p. 252), which regulates the pay of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 2515. To amend the title and Section 1 of Act No. 185, H. 240, First Special Session 1964 (Acts 1964, p. 252), which regulates further the compensation of the coroner and provides for a salary payable by the county in lieu of fees and allowances in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Register
Carr	Gilmore	McLain	Vacca
Clark	Givhan	Malone	Weaver
Cook	Hammond	O'Bannon	Wilson
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

H. 2516. To amend the title and Section 1 of Act No. 712, H. 1214, Regular Session 1965 (Acts 1965, p. 1317), which provides expense allowances for members of the county board of equalization payable from the general funds of the county, gives the act retroactive effect, and repeals Act No. 187, Acts of Alabama 1964, page 253, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Littleton	Pierce
Clark	Givhan	McLain	Register
Cook	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Weaver
Dozier	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2517. To amend the title and Section 1 of Act No. 711, H. 998, Regular Session 1967 (Acts 1967, p. 1549), which provides authority to regulate, collect, and dispose of trash on and along public roads and highways; license owners of containers to place same on right-of-ways and to set, levy and collect a privilege license tax on applicants for such licenses; with limitation on use of license as defense evidence in certain criminal actions in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	Littleton	Pelham	
Clark	Foshee	McLain	Register	
Cook	Gilmore	Malone	Shelby	
Cooper	Hammond	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2518. To amend the title and Section 1 of Act No. 814, H. 1234, Regular Session 1961 (Acts 1961, p. 1190), as last amended, which provides an expense allowance to members of the county commission or like governing body in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Branyon	Fine	King	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Hammond	McLain	Weaver	
Cook	Harris	Malone	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2519. To amend the title and Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pelham	
Carr	Foshee	Littleton	Register	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2520. To repeal Act No. 15, H. 11, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2615), entitled, "An Act Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Branyon	Foshee	Littleton	Pelham	
Clark	Gilmore	McLain	Register	
Cook	Givhan	Malone	Shelby	
Cooper	Hammond	Noonan	Weaver	
Dozier	Hawkins	O'Bannon	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 2521. To repeal Act No. 582, H. 963, approved August 29, 1961, Regular Session 1961 (Acts 1961, p. 688), entitled, "An Act To provide for the appointment of an additional deputy and for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham	
Bailes	Fine	King	Register	
Branyon	Gilmore	Littleton	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2530. To amend the title and Section 1 of Act No. 700, H. 750, Regular Session 1965 (Acts 1965, p. 1301), as last amended, which provides for the regulation of the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Clark	Givhan	Malone	Register	
Cooper	Harris	Noonan	Shelby	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2531. To amend the title and Section 1 of Act No. 285, H. 249, Regular Session 1965 (Acts 1965, p. 399), which provides for the payment of the expenses of the county or deputy solicitors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2532. To amend the title and Section 1 of Act No. 771, H. 1476, Regular Session 1961 (Acts 1961, p. 1110), which provides for the expenses of the county superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 2533. To amend the title and Section 1 of Act No. 387, H. 887, Regular Session 1963 (Acts 1963, p. 889), which provides for the payment of the ex officio fees of the clerks of the circuit court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Register	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2534. To amend the title and Section 1 of Act No. 830, H. 1091, Regular Session 1969 (Acts 1969, p. 1518), which provides for fixing the compensation of the county solicitor in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham	
Bailes	Gilmore	Littleton	Register	
Branyon	Hammond	McLain	Shelby	
Carr	Harris	Malone	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2535. To amend the title and Section 1 of Act No. 770, H. 1475, Regular Session 1961 (Acts 1961, p. 1109), which provides for a clerk-hire allowance for the office of clerk of the circuit court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Carr	Foshee	King	Pierce	
Clark	Givhan	Littleton	Vacca	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dozier	Hawkins	O'Bannon	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

H. 2536. To amend the title and Section 1 of Act No. 107, H. 182, Regular Session 1967 (Acts 1967, p. 139), which provides for insurance of county officers and employees, and their dependents in certain counties classified on a population basis, giving the Act retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2537. To amend the title and Section 1 of Act No. 57, H. 221, Regular Session 1969 (Acts 1969, p. 351), which provides for the regulation of the salary of the county superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Hammond	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2538. To amend the title and Section 1 of Act No. 286, H. 250, Regular Session 1965 (Acts 1965, p. 399), as last amended, which regulates the compensation of members of the County Board of Education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Branyon	Foshee	Littleton	Shelby	
Clark	Gilmore	McLain	Weaver	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2560. To amend the title and Section 1 of Act No. 364, H. 729, Regular Session 1963 (Acts 1963, p. 864), which provides for compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Shelby	
Carr	Foshee	Malone	Vacca	
Clark	Givhan	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2579. To authorize the Shelby County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham
Bailes	Fine	King	Register
Carr	Foshee	Littleton	Shelby
Clark	Hammond	McLain	Weaver
Cook	Harris	Noonan	Wilder
Cooper	Hawkins	Owen	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 2581. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Tax Assessors, Tax Collectors, Circuit Clerks, Probate Judges, Coroners, and members of the county governing bodies; providing a limitation on amounts so paid; and providing further for such payments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	McLain	Pierce
Carr	Hammond	Malone	Shelby
Clark	Harris	Noonan	Vacca
Cook	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2582. Relating to Shelby County; and to become effective if and when the sale of alcoholic beverages has become lawful in Shelby County; levying a privilege license or excise tax upon sellers, distributors, wholesalers, or users of malt or brewed beverages, or spirituous liquors, within Shelby County where said sale of malt or brewed or spirituous liquors is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Littleton	Pelham
Branyon	Givhan	McLain	Shelby
Carr	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2583. To amend the title and Section 1 of Act No. 432, H. 949, Regular Session 1965 (Acts 1965, p. 633) relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Foshee	Littleton	Register
Clark	Gilmore	McLain	Shelby
Cook	Givhan	Malone	Weaver
Dominick	Hammond	O'Bannon	Wilder
Dozier	Harris	Owen	Wilson
Edington	Horne		

—25

Nays:

—0

The Bill:

H. 2584. To amend the title and Section 1 of Act No. 261, H. 212, Regular Session 1961 (Acts 1961, Vol. 1, p. 283).

To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Gilmore	Littleton	Shelby
Carr	Givhan	McLain	Vacca
Clark	Harris	Malone	Weaver
Cook	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2585. To amend the title and Section 1 of Act No. 570, S. 215, Regular Session 1969 (Acts 1969, Vol. II, p. 1056) relating to retirement systems for certain county employees in all counties having populations of not less 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Givhan	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2586. To amend the title and Section 1 of Act No. 139, H. 282, Special Session 1966 (Acts 1966, p. 170) to regulate the compensation and allowances of coroners in counties having populations of not less than 32,000 nor more than 33,000 and repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Hammond	McLain	Vacca	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2587. To amend the title and Section 1 of Act No. 181, H. 227, Special Session 1964 (Acts 1964, p. 249) to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Cook	Gilmore	Malone	Vacca	
Cooper	Givhan	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2588. To amend the title and Section 1 of Act No. 354, H. 877, Regular Session 1965 (Acts 1965, p. 490) to apply only in counties having populations of not less than 32,000 nor more than 33,000; providing expense allowances for members of the board of revenue or other like governing body of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	McLain	Vacca	
Carr	Hammond	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2589. To amend the title and Section 1 of Act No. 275, H. 211, Special Session 1961 (Acts 1961, Vol. II, p. 2315) relating to court costs in all counties having populations of not less than 31,500 nor more than 33,500, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Malone	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2590. To amend the title and Section 1 of Act No. 1221, H. 1493, Regular Session 1969 (Acts 1969, p. 2294) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Littleton	Register	
Clark	Foshee	McLain	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2591. To amend the title and Section 1 of Act No. 1222, H. 1494, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Register
Branyon	Foshee	McLain	Vacca
Carr	Gilmore	Malone	Weaver
Clark	Givhan	O'Bannon	Wilder
Cook	Hawkins	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 2592. To amend the title and Section 1 of Act No. 263, H. 216, Regular Session 1961 (Acts 1961, p. 284) to regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent decennial census of the population of the United States.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Littleton	Register
Carr	Givhan	Malone	Weaver
Clark	Hammond	O'Bannon	Wilder
Cooper	Harris	Owen	Wilson
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

H. 2593. To amend the title and Section 1 of Act No. 1223, H. 1495, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Littleton	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2594. To amend the title and Section 2 of Act No. 262, H. 214, Regular Session 1961 (Acts 1961, p. 283) an act to provide further for the economic development of counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census, and the economic development of municipalities within such counties; providing for the creation of a development board in each county to which this Act applies; providing for the organization, powers, functions, duties, and personnel of such board; and providing for the payment of the expenses and for the compensation of the personnel of such board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2595. To repeal Act No. 264, H. 217, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 284), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Littleton	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	Horne	O'Bannon	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2596. To repeal Act No. 266, H. 219, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 285), entitled, "An Act relating to counties having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	King	Pierce
Carr	Fine	Littleton	Shelby
Clark	Foshee	Maione	Vacca
Cook	Gilmore	Noonan	Weaver
Cooper	Hammond	O'Bannon	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 2597. To repeal Act No. 28, H. 54, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 39), entitled, "An Act to authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pelham
Branyon	Fine	Littleton	Shelby
Carr	Gilmore	McLain	Weaver
Clark	Givhan	Malone	Wilder
Cooper	Harris	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 2598. To repeal Act No. 182, H. 228, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 250), entitled, "An Act to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Carr	Foshee	McLain	Register
Clark	Givhan	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2599. To repeal Act No. 195, H. 255, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 259), entitled, "An Act relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen
Bailes	Givhan	Littleton	Pelham
Carr	Hammond	McLain	Pierce
Clark	Harris	Malone	Shelby
Cook	Hawkins	Noonan	Vacca
Cooper	Horne	O'Bannon	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2600. To repeal Act No. 133, H. 139, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 185), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000; providing for the appointment of additional deputies sheriff whose compensation shall be paid by the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Littleton	Shelby
Carr	Gilmore	McLain	Vacca
Cook	Givhan	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2601. To repeal Act No. 101, H. 229, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 133), entitled, "An Act to apply only in counties having populations of not less than 31,500 nor

more than 33,500; regulating the number and compensation of deputy sheriffs in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2602. To repeal Act No. 112, H. 287, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 450), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2603. To repeal Act No. 398, H. 403, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 536), entitled, "An Act relating to all counties having populations of not less than 31,500 nor more than 33,500 according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; providing exceptions and authorizing the use of wire baskets in the taking of non-game fish."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Littleton	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2604. To repeal Act No. 623, H. 1210, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1136), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Harris	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2605. To repeal Act No. 265, H. 218, approved August 7, 1961 Regular Session 1961 (Acts 1961, Vol. I, p. 285), entitled "An Act to authorize the payment from the county treasury of an expense allowance to the coroner in counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Register	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1998. To authorize and provide for branch banks in Lauderdale County, and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Pelham	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Wilder	
Cook	Harris	O'Bannon	Wilson	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 1999. Relating to Lauderdale County, authorizing the county commission of such county to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2000. To authorize the county commission in Lauderdale County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham,	
Bailes	Givhan	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Clark	Hawkins	McLain	Weaver	
Cooper	Horne	Malone	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2001. Providing for the substitution by city boards of education in Lauderdale County for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham,
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Shelby
Cook	Hawkins	McLain	Weaver
Cooper	Horne	Malone	Wilder
Dominick	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2002. Relating to Lauderdale County; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Pierce
Carr	Givhan	Littleton	Shelby
Clark	Hammond	Lybrand	Vacca
Cook	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2003. Relating to the city of Florence; providing an expense allowance for members of the governing body of such cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Cook	Givhan	Lybrand	Weaver
Cooper	Harris	McLain	Wilder
Dominick	Hawkins	Malone	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 2004. Relating to Lauderdale County; authorizing the district attorney of said county to appoint a stenographic secretary, and to provide for the payment of said secretary's compensation from the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham,	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Weaver	
Cook	Harris	Malone	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2005. To authorize the county commission of Lauderdale County to prescribe the times when county offices may be closed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2006. Relating to Lauderdale County; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws.

was taken up.

Mr. O'Bannon offered the following substitute for the Bill, H. B. 2006, to-wit:

SUBSTITUTE FOR H. B. 2006

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County, regulating and prescribing the qualifications of persons engaged in the bail bond business and in the business of providing surety bonds under Act No. 704, Section 24, H. 475 (Acts of Alabama 1951, p. 1239), and further provides for satisfaction of any final judgment on such bail bond or surety bond issued by such persons herein described.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lauderdale County a person engaged in the business of making any bail bonds and such surety bonds as are required pursuant to Act No. 704, Sec. 24, H. 475 (Acts of Alabama, 1951, p. 1239)

and charging therefor, except corporations qualified to do a bonding business in this state, may qualify as bail or surety and make a bail bond or surety bond not exceeding \$10,000 in amount, provided he is a resident of the county and a householder and freeholder therein, has paid all privilege licenses due by him for the current year, and deposits in escrow with the probate judge of the county in cash, government bonds or other negotiable instruments, acceptable to the judge of probate, a minimum of \$7,000, seven thousand dollars, or such other amount as will cover the total amount of bail bond or surety bond on which he is or intends to become bail or surety in such county. It is specifically provided, however, that no one bond on which he is surety or bail shall ever exceed the cash value of his deposit in escrow with the judge of probate.

Section 2. A deposit in escrow made by a bail may be invaded and the sums therein used to satisfy any final judgment rendered upon the forfeiture of an undertaking of bail, provided, however, that the deposit of one person authorized to make bail pursuant to this Act shall not be subjected to satisfaction of any judgments rendered against any other such person. If the deposit in escrow of any person authorized to make bail pursuant to this Act is by any such judgment thereby reduced to an amount less than that required by this Act, such person shall be suspended from making bail bonds until his deposit in escrow is restored to the required amount.

Section 3. A deposit in escrow made by a surety company under the provisions of Act No. 704, Sec. 24(a), H. 475 (Acts 1951, p. 1239), may be invaded and used to satisfy any judgment obtained pursuant to Sec. 24(b) of the above Act against such surety company in favor of a judgment creditor, provided, however, that the deposit of one surety company shall not be used to satisfy any judgment rendered against any other surety company. If the deposit in escrow of such surety company is by any such judgment reduced to an amount less than required by this Act, said company shall be suspended from making any sureties authorized by Section 1 of this Act until his deposit in escrow is restored to the required amount.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective September 1, 1971.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Register
Carr	Foshee	Littleton	Shelby
Clark	Givhan	McLain	Weaver
Cook	Harris	Malone	Wilson
Cooper	Hawkins		

—25

Nays:

—0

And said Bill, H. B. 2006, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2007. Relating to Lauderdale County, to authorize the county commission in such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify to receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Hammond	McLain	Wilder	
Cooper	Harris	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2008. To provide for an appeal from any decision of a Civil Service Board in the city of Florence.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Fine	Lindsey	Register	
Branyon	Givhan	Littleton	Vacca	
Carr	Hammond	Lybrand	Weaver	
Clark	Harris	McLain	Wilder	
Cooper	Hawkins	Malone	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2009. To provide for a clerk hire allowance for a secretary for any judge of a county court operating within the Eleventh Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Lindsey	Shelby
Carr	Gilmore	Littleton	Vacca
Cook	Givhan	Lybrand	Weaver
Cooper	Harris	McLain	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2010. To regulate the compensation of jurors in Lauderdale County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon
Bailes	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Wilder
Cooper	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2263. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Carr	Hammond	Lybrand	Shelby
Cook	Hawkins	McLain	Weaver
Cooper	Horne	Malone	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2370. Relating to counties having populations of not less than 65,500 nor more than 75,200; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	Jones	Pierce	
Carr	Foshee	King	Shelby	
Clark	Gilmore	Littleton	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Harris	Malone	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 2371. Relating to counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	McLain	Weaver	
Cook	Hammond	Malone	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2372. Relating to counties having populations of not less than 65,500 nor more than 75,200; to authorize the circuit clerk to keep for his personal use any and all passport fees, in addition to any other compensation; to apply retroactively to January 1, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Register	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Malone	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2375. To prohibit cities, or any agencies thereof, having populations of not less than 33,500 nor more than 36,500 from collecting outside the corporate limits of said cities any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision; to provide that building code provisions may be enforced within the police jurisdiction of said cities, but to limit the collection of all fees and charges therefor to the area within the corporate limits of the cities.

was taken up.

Mr. O'Bannon offered the following substitute for the Bill, H. B. 2375, to-wit:

SUBSTITUTE FOR H. B. 2375

A BILL
TO BE ENTITLED
AN ACT

To prohibit cities, or any agencies thereof, having populations of not less than 33,500 nor more than 36,500 from collecting outside the corporate limits of said cities any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision relative to residential buildings or structures; to provide that building code provisions may be enforced within the police jurisdiction of said cities, but to limit the collection of all fees and charges for inspection or enforcement relative to residential buildings or structures to the area within the corporate limits of the cities.

Be It Enacted by the Legislature of Alabama:

Section 1. Neither the cities, nor any agency thereof, having populations of not less than 33,500 nor more than 36,500 according to the most recent federal decennial census shall charge or collect outside the corporate limits of said cities, any permit fees, inspection fees or any other fees with respect to the enforcement of provisions of any building code heretofore or hereafter adopted by said cities for the construction, repair or maintenance of any residential building or structure.

Section 2. Nothing in this Act shall be deemed to limit the enforcement of building code provisions within the police jurisdiction of the cities, but no fees or charges of any kind whatsoever shall be collected for the enforcement thereof relative to residential buildings or structures in any area which lies outside the corporate limits of said cities. Such fees and charges may be collected within the corporate limits of the cities.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Hammond	Lybrand	Vacca	
Clark	Harris	McLain	Wilder	
Cook	Hawkins	Malone	Wilson	
Dominick	Jones			—25

Nays: —0

And said Bill, H. B. 2375, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Pelham	
Bailes	Edington	Lindsey	Register	
Branyon	Fine	Littleton	Shelby	
Carr	Foshee	McLain	Weaver	
Clark	Gilmore	Malone	Wilder	
Cook	Givhan	O'Bannon	Wilson	
Dominick	Hammond			—25

Nays: —0

The Bill:

H. 2373. Relating to counties having populations of not less than 65,500 nor more than 75,200; to provide for the county commission of such counties to grant exclusive franchises to private haulers of solid waste.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	O'Bannon	
Bailes	Dozier	Jones	Pelham	
Branyon	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 2376. Relating to counties having populations of not less than 65,500 nor more than 75,200 which have abolished their County Inferior Court and established in lieu thereof a Statutory County Court, by providing further for the manner of taking appeals from judgments of said county court to the circuit court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Foshee	Littleton	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Hammond	McLain	Vacca
Clark	Harris	Malone	Weaver
Cook	Horne	O'Bannon	Wilson
Cooper	Jones		

—25

Nays:

—0

RESOLUTION

Messrs. Cooper, Pelham, Pierce, Branyon, Givhan, Clark, Lindsey, Hawkins, Vacca, Dominick, Bailes, Gilmore, Hammond, Carr and Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 97. MOURNING THE DEATH OF FORMER SENATOR RAY LOLLEY

WHEREAS we are deeply grieved to learn of the death of former Senator Ray Lolley who passed away August 29, 1971 following a heart attack at his home in Enterprise; and

WHEREAS Senator Lolley was educated in the schools of Coffee County, served in the United States Army during World War II and established a real estate, insurance and construction business at Enterprise in 1956 prior to entering the haberdashery business; and

WHEREAS Senator Lolley worked diligently for the betterment of the schools of his area and was instrumental in securing a new high school gymnasium at Enterprise which bears his name; he was devoted to young people and was particularly interested in the high school band with which he often traveled; and

WHEREAS Senator Lolley was a long time member of the Enterprise City Council and at the time of his death was a member of the board of trustees of the University of South Alabama; he was a Methodist, a Mason and a Shriner; he was elected to the Alabama Senate for the 1962-66 term and was re-elected for the 1966-70 term; and

WHEREAS Senator Lolley is survived by his widow and two daughters and a host of friends who mourn his death; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Senator Ray Lolley and extend our deepest sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

On motion of Mr. Cooper, the Rules were suspended and said Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 122. To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act.

JAMES S. CLARK,
Chairman.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 77. Designating certain highways of Alabama as the "University of Montevallo Highway".

Also:

S. J. R. 81. Creating a Marine Environmental Sciences Consortium.

Also:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

Also:

S. 213. Making an appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes in regard to vocational rehabilitation.

Also:

S. 737. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Also:

S. 738. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

S. 739. To amend the Title and Section 1 of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

S. 740. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

S. 741. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

S. J. R. 83. Creating a joint interim committee of the Jefferson County Delegations to study the personnel system for city and county employees in Jefferson County.

Also:

S. J. R. 85. Mourning the death of former Senator Henry H. Mize of Tuscaloosa.

Also:

S. J. R. 86. Mourning the death of Honorable Vincent F. Kilborn of Mobile.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolutions the titles of which are set out in the foregoing report from the Committee on Rules.

RESOLUTION

Mr. Fine offered the following Senate Resolution, to-wit:

S. R. 98. TO PROVIDE CANCER HELP PROGRAMS FOR CITIZENS OF ALABAMA

WHEREAS cancer takes the lives of more than five thousand Alabamians each year; and

WHEREAS the death rate from cancer is steadily increasing as the State population grows; and

WHEREAS more than 12,000 men, women, and children will be hospitalized in 1971, for cancer surgery and diagnostic treatment in Alabama and more than 40,000 Alabamians are currently under treatment for this dread disease; and

WHEREAS cigarette smoking has been named as a principal agent relating to lung cancer; and

WHEREAS new research findings during the last year add to the evidence that smoking is a lethal hazard to humans; and

WHEREAS prominent Alabama and National Medical Authorities have indicated that cancer can be cured and controlled if the necessary funds are made available for research and treatment; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That the Governor and the Legislature of Alabama is hereby petitioned to enact appropriate legislation to provide cancer health programs through the University of Alabama Medical Center in Birmingham for the control, care and cure of cancer and that no less than \$5,000,000 be appropriated annually over the next ten fiscal years for a state cancer research and hospitalization program; and

BE IT FURTHER RESOLVED, that an assessment of one and one half cents per standard package of cigarettes be imposed on all cigarettes handled by the manufacturer which are stored in Alabama for sale directly to federal agencies, military installations or licensed distributors, and or sale made direct by the manufacturer to federal agencies, military installations or licensed distributors in Alabama, which are not stored in this State; and

BE IT FURTHER RESOLVED, that no less than \$5,000,000 of this appropriation be utilized in the first years of this appropriation to enlarge the present plans and to aid in the construction of the Lurleen B. Wallace Memorial Cancer Hospital and Institute of Research at the University of Alabama Medical Center in Birmingham; and

BE IT FURTHER RESOLVED, that the Secretary of the Senate transmit copies of this resolution to Governor George C. Wallace, and all the members of the 1971 Legislature.

Which was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pierce (with amendment):

S. 1173. To be known as the "Alabama Occupational Safety and Health Act" the general purpose of which is to prevent accidents and occupational diseases; to create the Occupational Safety and Health Commission; to vest enforcement and administration of this Act in said Commission; to authorize the Commission to employ an Executive Director and other personnel; to authorize said Executive Director to make certain contracts deemed necessary by him and approved by the Commission; to set out the powers and duties of the Commission and its Executive Director; to authorize the Executive Director to take action to eliminate any clear and immediate threat to safety and health; to provide for appeals from orders of the Executive Director; to set penalties for violations; to authorize inspections and investigations by

the Executive Director; to authorize the making of rules and regulations and the granting of variances therefrom by the Commission; to authorize the appointment of a State Safety Engineer; to allow employers to require physical examinations of employees; to provide for transfer of functions and funds from other State departments; to authorize compliance with the Federal Occupational Safety and Health Act of 1970; to exempt mines and mining from the operation of this Act; and to provide for the appropriation of funds to the Commission.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pelham, Branyon, Jones, Owen, Cook, King, Foshee, Littleton, Noonan, Harris, Fine, Register, Vacca, Givhan, Lybrand, Clark, O'Bannon, Dozier, Cooper, Horne, Hawkins, Carr, Hammond, Shelby and Malone:

S. 1246. To prohibit the denial of admission of any child to any public school in this State under certain conditions.

By Mr. Drake, et al:

H. 461. To amend Title 13, Section 241, Code of Alabama, 1940, pertaining to expenses of district attorneys outside of their home counties.

By Messrs. Hardin and Lyons:

H. 505. To amend Sections 1 and 2 of Act No. 11, H. 3, Special Session 1970 (Acts of 1969-70, p. 2612) entitled "An Act to levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act."

By Mr. Headley, et al:

H. 733. To provide that all political parties which elect to hold primary elections under the primary election laws of the states shall nominate all candidates for all state, county, and federal offices, including electors for president and vice-president of the United States, by vote of the qualified voters voting in the primary election called by such party; and to amend Section 336, Title 17, Code of Alabama of 1940, as amended.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turner, Lyons and Cottingham (with amendments):

H. 774. To amend further Section 3 of Act No. 402, General Acts 1945, page 624, entitled "An Act relating to Aeronautics; providing for the promotion, encouragement, development and regulation thereof within this State; creating a State Department of Aeronautics consisting of a State Aeronautics Commission and a Director of Aeronautics; prescribing their respective duties and powers; providing for the transfer from the Alabama Aviation Commission to the Department of Aeronautics all properties, personnel and funds held by, and all matters and

subjects handled by, said Aviation Commission; providing for an Aeronautics Department fund and an Airport Development Fund and making appropriations therefor; prescribing penalties and making uniform the law with reference to state development and regulation of aeronautics, as last amended.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hearn, et al:

H. 801. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and deliver revenue bonds in exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cherner, et al (with amendment):

H. 880. To raise revenue and to that end to amend further Sections 812, 816 and 819 of Title 51 of the Code of Alabama of 1940, as heretofore amended, dealing with taxation of insurance companies.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McCorquodale, Lyons and Bank:

H. 978. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

By Mr. Williams, et al:

H. 1021. To provide for the retirement of employees under the State Retirement System who have obtained the age of 50 and have at least 30 years service and to repeal all laws or parts of laws in conflict with the provisions of this Act.

By Messrs. Flipppo and Hill:

H. 1760. To amend Section 2(d), (g), 17(a), and 27 of the Securities Act of Alabama (Acts 1959, V. 2, p. 1318, et seq., Act No. 542,

Regular Session 1959 as amended by Acts 605 and 740, 1969 Regular Session) so as to further provide for the registration of securities dealers and salesmen, to provide for a change in the statute of limitations for violations of this act, and to further provide for the disposition of revenues collected by the Securities Commission.

By Messrs. Flippo, Hill and Stewart:

H. 1761. Relating to Securities; providing for the assessment of fees by the Securities Commission upon application for exemptions under the Provisions of Act No. 542, Regular Session, 1959 (Acts 1959, Page 1318, as amended).

By Mr. McCluskey:

H. 1864. To provide for the regulation of the construction of water wells, to provide a system of reporting information concerning the drilling of water wells and results, to provide for the licensing of water well drillers, to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act, creating a board to be known as the Alabama Water Well Standards Board, to provide for the qualification, appointment and removal of board members and the filling of vacancies and fixing their tenure of office, and providing penalties for violation of this Act.

By Mr. Casey:

H. 1993. Relating to domestic stock insurance companies and to provide procedures for adoption and effectuation of plans of exchange of securities between domestic stock insurance companies and holding companies and between domestic stock insurance companies, holding companies and subsidiaries of holding companies; to provide for approval of such plans of exchange of securities by boards of directors and stockholders, and to require approval by the Superintendent of Insurance upon a public hearing after notice to stockholders and policyholders and to provide a procedure therefor; to provide rights and procedures for dissenting stockholders; and to set forth the effect of such plans for exchange.

By Mr. Merrill:

H. 2076. To amend Act No. 470 Regular Session of 1969, Vol. I, page 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

By Mr. Burgess, et al:

H. 2175. To provide that the portrait of Governor Lurleen B. Wallace shall forever remain in its present position in the rotunda on the ground floor of the State Capitol.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Drake (with amendment):

H. 2317. To amend Section 11 of Act No. 674 of the 1961 Regular Session of the Legislature so as to increase the fee charged for an inspection marker for motor vehicles and to provide for the disposition of the proceeds therefrom.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cauthen and Slate:

H. 2343. To abolish justices of the peace and justice courts in both criminal and civil matters and to provide in lieu thereof a court in each county and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said court; providing for its officers, and their appointment; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court to said court hereby established; providing for additional powers of all of the chief law enforcement officers on duty during certain nighttime hours relating to cases over which the court hereby established has jurisdiction; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before said court.

MOTION TO RE-REFER

Mr. Bailes moved that the Bill, H. B. 733, be re-referred to the Standing Committee on Constitution and Elections.

On motion of Mr. Foshee, the motion to re-refer was laid on the table.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Branyon	Foshee	Malone	Register	
Clark	Givhan	Noonan	Weaver	
Cooper	Hammond	Owen	Wilder	
Dozier	Harris			—17

Nays:

Messrs.:	Dominick	King	Pierce	
Bailes	Edington	McLain	Shelby	
Carr	Gilmore	O'Bannon	Vacca	
Cook	Jones			—13

REPORTS OF COMMITTEES RESUMED

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 778. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide

for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

By Mr. McLain:

S. 1089. To provide for the manner and procedure of election of members and the chairman of the county commission, the president or presiding judge of boards of county commissions, boards of revenue or like governing bodies in counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census and providing for their term of office and the time of their election.

By Mr. Owen:

S. 1236. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the tax assessor to employ a clerk to perform duties imposed on the tax assessor under Code of Alabama 1940, Title 51, Sections 66, 67, and 68.

By Mr. McLain:

S. 1237. To amend Section 1 of Act No. 773, S. 621, Approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Municipal Employees Pension and Relief Funds", so as to make said act applicable only in cities having a population of not less than 150,000, nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

By Mr. McLain (with notice and proof):

S. 1238. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

By Mr. McLain:

S. 1239. To amend Sections 1 and 3 of Act No. 774, S. 626, of the 1951 Regular Session of the Legislature of Alabama, approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" so as to make said Act apply only to cities having a population of not less than 150,000 nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

By Mr. Hammond (with notice and proof):

S. 1240. To alter or re-arrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

By Mr. Cooper (with notice and proof):

S. 1241. Relating to Wilcox County; to make it unlawful to kill, take or catch fish from the public waters of said county by the use of gill nets; and to prescribe the penalties for any person, firm or corporation who violates the provisions of this Act.

By Mr. Cooper (with notice and proof):

S. 1242. To amend Sections 2, 3, and 4 of Act No. 177, H. 418 Regular Session 1945 (Local Acts 1945 p. 91) which Act established the Board of Directors of Conecuh County, by prescribing the qualifications of the members of said board, their terms of office and manner of their election.

By Mr. Carr. (with notice and proof):

S. 1243. Relating to St. Clair County, authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

By Mr. Wilson:

S. 1244. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

By Mr. Littleton (with notice and proof):

S. 1245. To provide for the election of members of the County Board of Education of Autauga County, Alabama; to define the school districts from which the members of the County Board of Education are elected.

By Mr. Foshee (with notice and proof):

S. 1248. To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act to abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called 'The Board of Revenue of Covington County,' consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums

shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, by providing in Section 5 thereof that the President of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a Member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

By Mr. Wilson:

S. 1249. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

By Mr. O'Bannon:

S. 1250. To amend the title and Section 1 of Act No. 195, S. 424, Regular Session 1967 (Acts 1967, p. 560) which provides further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and which county is classified on a population basis.

By Mr. Shelby:

S. 1251. To amend Section 1 of Act No. 332, H. 688, Regular Session 1969 (Acts 1969, p. 706) which act provides for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

By Messrs. Horne and Wilder:

S. 1252. To amend Section 1 of Act No. 421, H. 627, Regular Session 1959 (Acts 1959, p. 1113) which act relates to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

By Mr. Noonan (with notice and proof):

S. 1253. To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporation limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

By Messrs. Downing, Stokes and Wood:

H. 865. To amend further the title and Section 1 of Act No. 529 of the 1949 Regular Session of the Alabama Legislature (1949 Acts, p. 827), as amended, which relates to plumbers and plumber examining boards in certain counties classified on a population basis.

By Mr. Headley:

H. 1133. Relating to counties having populations of not less than 25,150 nor more than 26,500, according to the most recent federal decennial census, to provide for an expense allowance for the Court Reporter in the Law and Equity Court in all such counties.

By Mr. Reed (T):

H. 1266. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

By Mr. Reed (T):

H. 1268. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for the election of county superintendent of education by the qualified electors thereof; to prescribe duties, qualifications, term of office, and compensation.

By Mr. Smith (P):

H. 1580. To repeal Act No. 1002, S. 822, Regular Session 1969, approved September 12, 1969, entitled "An Act Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies."

By Mr. Smith (P) (with notice and proof):

H. 1582. Applying to Talladega County; relating to certain payments from the county treasury; fixing the amount of compensation and expense allowances that may be paid out of the treasury of such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

By Messrs. Cauthen and Slate:

H. 2014. To repeal Act No. 129, H. 176 approved May 9, 1963, an Act relating to counties having populations of not less than 65,000 nor more than 95,000; providing further for the operation of the offices of circuit solicitors in such counties (Acts of Alabama Organizational 1st and 2nd Special Regular Sessions 1963 vol. I, p. 316).

By Messrs. Cauthen and Slate:

H. 2015. To repeal Act No. 405, H. 851 approved August 7, 1961, an act relating to regulating the compensation and allowances of Probate Judges in certain counties on a population basis (Acts 1961, Vol. 1, p. 419).

By Messrs. Cauthen and Slate:

H. 2020. To repeal Act No. 371, S. 420 approved August 10, 1965, an act relating to the salary of the sheriff in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 505).

By Messrs. Cauthen and Slate:

H. 2021. To repeal Act No. 200, H. 796 approved July 30, 1965, an act relating to the expense allowance for the coroner in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 283).

By Messrs. Cauthen and Slate:

H. 2022. To repeal Act No. 31, S. 9 approved August 24, 1964, an act relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of clerk for the board of registrars whose compensation shall be paid by the county (Acts of Alabama 1st Special Session 1964, p. 54).

By Messrs. Cauthen and Slate:

H. 2023. To repeal Act No. 30, S. 8 approved August 24, 1964, an act relating to regulating the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000 (Acts of Alabama 1st Special Session 1964, p. 53).

By Messrs. Cauthen and Slate:

H. 2024. To repeal Act No. 251, H. 641 approved August 15, 1963, an act relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers (Acts of Alabama Organizational 1st Special 2nd Special Regular Sessions 1963 Vol. 1, p. 661).

By Messrs. Cauthen and Slate:

H. 2025. To repeal Act No. 924, S. 31 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax assessor in certain counties on a population basis (Acts of Alabama 1961 Regular Special Sessions Vol. II, p. 1483).

By Messrs. Cauthen and Slate:

H. 2026. To repeal Act No. 923, S. 30 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax collector in certain counties on a population basis (Acts 1961 Regular Special Sessions, Vol. II, p. 1483).

By Messrs. Cauthen and Slate:

H. 2027. To repeal Act No. 77, H. 31 approved June 27, 1963, an Act relating to counties having populations of not less than 76,000 nor more than 115,000, providing for meetings of the board of registrars in such counties (Acts of Alabama 1963 Organizational 1st and 2nd Special Regular Sessions vol. 1, p. 454).

By Messrs. Cauthen and Slate:

H. 2084. To apply only in counties having a population of not less than 76,000 nor more than 80,000; providing for the Chairman or President of the County Commission, or other like governing body to pay to any county employee whose salary is received from said County Commission, or other like governing body, sums as sick leave during any temporary illness or disability of said employee.

By Mr. Reynolds:

H. 2176. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal de-

cennial census; to further provide for the compensation of the members of the county board of education.

By Mr. Gray (F):

H. 2178. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to authorize establishment of branch banks.

By Mr. Gray (F):

H. 2181. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for clerk hire allowance for the judges of probate of said counties.

By Mr. Gray (F) (with notice and proof):

H. 2183. To amend further Act No. 102, H. 237, Regular Session 1935 (Local Acts 1935, p. 38), which relates to the selection of the superintendent of education and prescribes his duties, qualifications, compensation and term of office, so as to provide further for his compensation.

By Mr. Gray (F) (with notice and proof):

H. 2184. To abolish the criminal and quasi-criminal jurisdiction of justices of the peace and notaries public ex officio justice of the peace elected or appointed for any precinct in Macon County, and transferring such jurisdiction to the Inferior Court of Macon County.

By Mr. Gray (F):

H. 2187. Relating to counties having populations of not less than 24,500 and no more than 25,000, according to the most recent decennial census; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

By Mr. Gray (F):

H. 2188. To repeal Act No. 114, H. 216, approved July 7, 1965; entitled, "Relating to counties having populations of not less than 26,600 nor more than 26,800 inhabitants according to the 1960 or any subsequent decennial census of the United States; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire." (Acts, 1965, Regular Session, Volume 1, p. 174).

By Mr. Gray (F):

H. 2189. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 24,500 nor more than 25,000, according to the last or any subsequent decennial census of the population of the United States.

By Mr. Gray (F):

H. 2190. To repeal Act No. 146, H. 446, approved, August 1, 1961; entitled, "To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 25,750 nor more than 27,000 according to the last or any subsequent decennial census of the population of the United States." (Acts 1961, Vol. 1, P. 189.)

By Mr. Gray (F):

H. 2191. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for deputy sheriff and the minimum amount and payment of their compensation.

By Mr. Gray (F):

H. 2193. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census.

By Mr. Gray (F):

H. 2194. To repeal Act No. 691, S. 512, approved September 1, 1965; entitled, "To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000 according to the most recent federal decennial census." (Acts 1965, Regular Session Volume II, p. 1284).

By Mr. Gray (F):

H. 2195. Relating to counties having populations of not less than 24,500 and not more than 25,000, according to the most recent decennial census; providing an additional monthly mileage allowance for members of the governing body, including the chairman, of such counties.

By Mr. Gray (F):

H. 2196. To repeal Act No. 216, H. 669, approved July 25, 1969; entitled, "Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body, of such counties to be used in attending certain conventions." (Acts 1969, Regular Session, Volume I, p. 535.)

By Mr. Gray (F):

H. 2197. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

By Mr. Smith (P):

H. 2268. To repeal Act No. 482, S. 602, Regular Session 1969, approved August 19, 1969, entitled "An Act To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality."

By Mr. Smith (P):

H. 2269. To repeal Act No. 965, S. 336, Regular Session 1961, approved September 9, 1961, entitled "An Act Relating to powers of county governing bodies of counties having populations of not less than 62,000 nor more than 92,000, according to the 1960 or any subsequent federal decennial census; authorizing appropriations of county funds to provide ambulance service for the sick and infirm."

By Mr. Smith (P) (with notice and proof):

H. 2270. To permit the governing body of Talladega County, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality; and to permit the providing of such service by contract or otherwise.

By Mr. Smith (P) (with notice and proof):

H. 2271. To provide an additional fee for recording change of ownership of motor vehicles in Talladega County.

By Mr. Smith (P) (with notice and proof):

H. 2272. Relating to Talladega County: permitting the governing body of the county to provide for a judicial building; providing for the location in such building of certain judicial and law-enforcement officers; and providing for the holding of county and circuit court in such building.

By Mr. Smith (P) (with notice and proof):

H. 2273. Relating to Talladega County: Providing for the re-identification of all registered voters; directing the Board of Registrars to purge the list of registered voters; providing a penalty for willfully making a false statement in connection with reidentification; and repealing conflicting laws.

By Messrs. Naramore and Crowe:

H. 2340. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

By Messrs. Naramore and Crowe:

H. 2341. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

By Messrs Cauthen and Slate:

H. 2344. To repeal Act No. 1002, S. 822 approved September 12, 1969, an Act relating to the compensation of certain county officers, allowance for clerical assistance for board of equalization, jury commission, and board of registrars, and the supplemental salaries of certain officers of circuit court (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1875).

By Messrs Cauthen and Slate:

H. 2345. To repeal Act No. 368, H. 406 approved September 12, 1966, an Act relating to all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census; regulating the salaries of the members of the jury commission (Acts of Alabama Special Session 1966, p. 508).

By Messrs Cauthen and Slate:

H. 2346. To repeal Act No. 926, H. 1335 approved September 12, 1969, an Act relating to the Sanitary Barber Law and barber commission in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. II, p. 1665).

By Messrs Cauthen and Slate:

H. 2347. To repeal Act No. 370, S. 421 approved August 10, 1965, an act relating to the salary and allowance of members of governing body in counties having populations of not less than 65,000 nor more than 95,000 (Acts of Alabama 1965 Vol. I, p. 504).

By Messrs Cauthen and Slate:

H. 2349. To repeal Act No. 1020, S. 871 approved September 12, 1969, an Act relating to the county governing body having authorization to provide payment of certain expenses incurred by the sheriff and members of the county governing body in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1900).

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F) (with substitute):

H. 2410. To amend the title and Section 1 of Act No. 432, H. 937, Regular Session 1961 (Acts 1961, p. 469) as last amended, which regulates the office of sheriff; authorizes the sheriff to employ certain personnel; provides for the payment of compensation to the sheriff and the employees of his office; provides for the deposit of all collections by that office; establishes certain exemptions for the sheriff; and designates certain duties to be performed by the sheriff's office in certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Connell and Crawford:

H. 2460. Relating to counties having populations of not less than 56,500 nor more than 59,000; providing for the purchase of vehicles for the Sheriff's Department of said county; the upkeep, repair, and purchase of equipment for said vehicles; the purchase of uniforms for Sheriff's deputies, and expenses incurred in transporting prisoners and mental patients out of said counties from the Public Highway and Traffic Fund in said counties at the discretion of the County Commission.

By Messrs. Connell and Crawford:

H. 2461. Authorizing the county governing body of counties of not less than 56,500 population nor more than 59,000 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Leslie and/or Jo Ann Trawick to compensate for certain damages.

By Messrs. Connell and Crawford (with notice and proof):

H. 2462. To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

By Messrs. Connell and Crawford (with notice and proof):

H. 2463. To apply to Houston County, relating to authority of said County to borrow additional money not to be used for any other purpose than that for which the general funds of the County may now be used; not to total more than \$50,000.00, with interest not to exceed 7% per annum; not to exceed one year in duration and not to mature later than February 1st of the year following that in which the loan is made.

By Messrs. Mims and Warren (with notice and proof):

H. 2471. To authorize the Director of Conservation to open a season in Monroe County for the hunting of female deer or unantlered male deer.

By Messrs. Mims and Warren (with notice and proof):

H. 2472. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Monroe County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Messrs. Mims and Warren (with notice and proof):

H. 2473. To provide an expense account for coroners in Monroe County in lieu of all fees he now receives.

By Messrs. Mims and Warren (with notice and proof):

H. 2474. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of Monroe County.

By Messrs. Mims and Warren (with notice and proof):

H. 2475. Relating to Monroe County; authorizing county board of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

By Messrs. Mims and Warren (with notice and proof):

H. 2476. Relating to Monroe County; providing additional expense allowances for members of the board of education.

By Messrs. Mims and Warren (with notice and proof):

H. 2477. To apply in Monroe County, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

By Messrs. Mims and Warren (with notice and proof):

H. 2478. To provide clerical assistance for clerks of circuit courts of Monroe County.

By Messrs. Mims and Warren (with notice and proof):

H. 2479. To provide for the compensation of the chief clerk of the judge of probate in Monroe County.

By Messrs. Mims and Warren (with notice and proof):

H. 2480. To apply in Monroe County, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

By Messrs. Mims and Warren (with notice and proof):

H. 2481. Relating to Monroe County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

By Messrs. Mims and Warren (with notice and proof):

H. 2482. To provide a clerk for the county commission or other like governing body in Monroe County, to prescribe the duties of such clerk and to provide for his salary.

By Messrs. Mims and Warren (with notice and proof):

H. 2483. Relating to Monroe County; providing for and regulating the compensation of the county engineer.

By Messrs. Mims and Warren (with notice and proof):

H. 2484. Relating to Monroe County; to provide further for the duties, compensation and expense allowances of the Monroe County Commission.

By Messrs. Mims and Warren (with notice and proof):

H. 2485. To authorize and direct the board of education of Monroe County to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

By Messrs. Mims and Warren (with notice and proof):

H. 2486. To provide for the appointment of additional deputy sheriffs in Monroe County.

By Messrs. Mims and Warren (with notice and proof):

H. 2487. Relating to Monroe County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties.

By Messrs. Crawford and Connell (with notice and proof):

H. 2496. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

By Messrs. Crawford and Connell (with notice and proof):

H. 2497. To provide for supplemental salary to be paid by Henry County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Henry County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

By Mr. Owens:

H. 2507. Relating to counties having a population of not less than 15,650, nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

By Mr. Owens:

H. 2508. To amend the title and Section 1 of Act No. 492, H. 1046, Regular Session 1965 (Acts 1965, p. 712) which repeals special county excise taxes in certain counties classified on a population basis.

By Mr. Coshatt (with notice and proof):

H. 2522. To provide that St. Clair County construct, repair, and maintain all county roads on the basis of the County as a unit without regard to district or beat lines; to designate the duty of the county governing body to employ a county engineer and the qualifications for said engineer; to fix and designate the duties, powers, and authority of said county engineer, and to fix the amount of his bond, provide for the approval of same and payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the county engineer as the person to make requisitions for road supplies and equipment; to designate the county engineer as custodian of all tools, machinery, supplies, and equipment relating to roads in St. Clair County; to provide for the setting aside of road funds by the county commission, and for the expenditure of the same; to provide for emergencies; to further provide the duties of the members of the county commission; to provide travel and other expenses for the members of the county commission in carrying out the duties imposed on them by the provisions of this Act; to repeal all laws in conflict with this Act, and to expressly repeal Act N. 168 of the Regular Session of the Legislature of 1953.

By Mr. Coshatt (with notice and proof):

H. 2523. To provide for a Personnel Appeals Board for St. Clair County and for any city over 5,000 population in said county; to prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County and any city in said county to which this act applies; and to give the act a retroactive effect.

By Messrs. Mims and Warren:

H. 2539. To repeal Act No. 712, H. 999, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1550), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

By Messrs. Mims and Warren:

H. 2540. To repeal Act No. 609, H. 742, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1410), entitled, "An Act To create an inferior court for counties having populations of not less than 22,372 nor more than 24,000; to replace county courts of counties having populations of not less than 22,372 nor more than 24,000."

By Messrs. Mims and Warren:

H. 2541. To repeal Act No. 287, H. 934, approved August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), entitled, "An Act Relating to

counties having populations of not less than 22,350 nor more than 24,350; providing expense allowances for members of the governing bodies of such counties."

By Messrs. Mims and Warren:

H. 2542. To repeal Act No. 169, H. 156, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 236), entitled, "An Act To provide a clerk for the county commission or other like governing body in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census, to prescribe the duties of such clerk and to provide for his salary."

By Messrs. Mims and Warren:

H. 2543. To repeal Act No. 212, H. 165, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To apply in all counties having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county."

By Messrs. Mims and Warren:

H. 2544. To repeal Act No. 113, H. 155, approved July 7, 1965, Regular Session 1965 (Acts 1965, p. 173), entitled, "An Act To provide for the appointment of additional deputy sheriffs in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census."

By Messrs. Mims and Warren:

H. 2545. To repeal Act No. 240, H. 284, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 324), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

By Messrs. Mims and Warren:

H. 2546. To repeal Act No. 239, H. 283, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 323), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

By Messrs. Mims and Warren:

H. 2547. To repeal Act No. 210, H. 164, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 240), entitled, "An Act To provide for and regulate the compensation of county engineers of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

By Messrs. Mims and Warren:

H. 2548. To repeal Act No. 288, H. 935, approved, August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), as amended, entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties."

By Messrs. Mims and Warren:

H. 2549. To repeal Act No. 37, H. 106, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 251), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 22,350 nor more than 24,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

By Messrs. Mims and Warren:

H. 2550. To repeal Act No. 541, S. 595, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1291), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

By Messrs. Mims and Warren:

H. 2551. To repeal Act No. 196, S. 425, approved August 8, 1967, Regular Session 1967 (Acts 1967, p. 561), entitled, "An Act To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county."

By Messrs. Mims and Warren:

H. 2552. To repeal Act No. 231, H. 153, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 317), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

By Messrs. Mims and Warren:

H. 2553. To repeal Act No. 232, H. 154, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 318), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

By Messrs. Mims and Warren:

H. 2554. To repeal Act No. 168, H. 154, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 235), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; providing for payment of expense allowances for the chairman and members of the county governing body and imposing additional duties upon such county officers."

By Messrs. Mims and Warren:

H. 2555. To repeal Act No. 213, H. 167, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To authorize and direct the board of education of any county having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census, to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education."

By Messrs. Mims and Warren:

H. 2556. To repeal Act No. 144, H. 450, approved July 10, 1963, Regular Session 1963 (Acts 1963, p. 519), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services."

By Messrs. Mims and Warren:

H. 2557. To repeal Act No. 313, H. 743, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 344), entitled, "An Act To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 22,350 nor more than 24,500."

By Messrs. Mims and Warren:

H. 2558. To repeal Act No. 351, H. 873, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 22,350 nor more than 24,500, for the hunting of female deer or unantlered male deer."

By Messrs. Mims and Warren:

H. 2559. To repeal Act No. 211, H. 166, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 241), entitled, "An Act To provide clerical assistance for clerks of circuit courts of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

By Messrs. Mims and Warren:

H. 2561. To repeal Act No. 516, H. 1150, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 759), entitled, "An Act Relating to all counties having populations of not less than 22,350, nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties."

By Messrs. Downing, Stokes, Callahan, Wood, Collins, Therrell, Nettles and Lyons:

H. 2568. Relating to counties having populations of not less than 300,000 nor more than 600,000; to authorize the county commission of such county to appropriate funds for the relief of Nollie Thompson.

By Messrs. Perloff, Downing, Wood, Nettles, Callahan, Stokes, Therrell and Lyons:

H. 2571. To amend Act No. 126, H. 58, Special Session 1971, approved May 11, 1971, which Act provided for additional court costs in certain cases in the thirteenth judicial circuit, by excepting certain proceedings from said costs.

By Mr. Williams (with notice and proof):

H. 2607. To fix the salary to be paid the Tax Collector of Jackson County, Alabama and the salary to be paid the Tax Assessor of Jackson County, Alabama, to provide the amounts of such salary for each of said officers, to provide for the employment of clerical assistants and the necessary expenses to operate said offices, and to provide for the payment of any fees, commissions or allowances received by such

officers in the discharge of their official duties to the County Treasury of Jackson County, Alabama, which Act shall change the method of compensation of the Tax Collector and Tax Assessor of Jackson County, Alabama from the fee system to salary and to provide the effective date of this Act.

By Mr. Barkett:

H. 2613. To repeal Act No. 554, H. 1124, Regular Session 1969 (Acts 1969, p. 1038), entitled "An Act To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census."

By Mr. Barkett:

H. 2614. To apply only in counties having populations of not less than 52,500 nor more than 54,000; Relating to the board of registrars; further regulating the days, hours, and places of its meetings, and the compensation of its members; requiring forfeiture of certain compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, p. 403).

By Mr. Barkett (with notice and proof):

H. 2615. Relating to certain offices and officers of Dale County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

By Mr. Barkett (with notice and proof):

H. 2616. To consolidate and combine the offices of circuit clerk and register in equity for Dale County; and to provide compensation for such office subject to the ratification of a constitutional amendment.

By Mr. Barkett (with notice and proof):

H. 2618. Relating to Dale County; prohibiting the sale of alcoholic beverages in certain places.

By Mr. Headley:

H. 2619. To apply in counties having populations of not less than 25,150 nor more than 26,500; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Law and Equity Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences for Continuing Legal Education.

By Mr. Williams:

H. 2620. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

By Messrs. Grainger, Lutz, Hearn and King:

H. 2625. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

By Messrs. Grainger, Lutz, Hearn and King:

H. 2626. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

By Messrs. Grainger, Lutz, Hearn and King:

H. 2627. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

By Messrs. Grainger, Hearn, Lutz and King:

H. 2629. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings, including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the $\frac{1}{4}$ of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Hearn, Lutz, Grainger and King:

H. 2630. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

By Messrs. King, Grainger, Hale and Lutz:

H. 2632. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

By Messrs. Hearn, Grainger, King and Lutz:

H. 2633. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

By Messrs. Hearn, Grainger, King and Lutz:

H. 2634. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

By Messrs. King, Grainger, Hale and Lutz:

H. 2635. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

By Messrs. Lutz, Grainger, Hearn and King:

H. 2636. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

By Messrs. Lutz, Grainger, Hearn and King:

H. 2637. To authorize and make provisions for the incorporation in any county having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census, of an authority as a public corporation for the purpose of constructing, leasing, building, installing, acquiring, owning, operating, maintaining, equipping, using and controlling marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings, and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in connection therewith; to provide that in order for any such authority to be organized application be made to the governing body of the county in which said authority is to be organized and to the governing body of at least one municipality therein, and that permission for organization of such authority be granted by such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to provide that the county in which any authority has been organized and each municipality which duly authorized the authority may aid and cooperate in the planning, undertaking construction, extension, improvement or operation of facilities as described therein, and may lend or donate to such authority money, property, or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking construction, and operation of facilities of an authority organized pursuant to this act; to authorize the issuance by such authority of interest-bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of such bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge by any of the revenues of such authority to which its right then exists or may thereafter come into existence, and by foreclosable mortgage on any property of such authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture by the said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding and effective against third parties without notice from the time a statement thereof is filed in the Office of the Judge of Probate of the county in which such authority is organized, and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

By Messrs. Goodwin and Reynolds:

H. 2641. To provide further for the compensation to be paid commissioners in cities having a population of not less than 8,500 nor more than 9,000 according to the most recent federal decennial census.

By Messrs. Goodwin and Reynolds:

H. 2642. To provide further for the compensation of city commissioners in cities having a population of not less than 12,700 nor more than 13,115 according to the most recent federal decennial census.

By Messrs. Connell and Crawford:

H. 2651. To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000.

By Messrs. Connell and Crawford:

H. 2653. Relating to all counties having populations of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

By Mr. Stubbs (with notice and proof):

H. 2654. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

By Mr. Barkett:

H. 2659. To provide for the compensation for a member of the county commission elected or appointed as chairman of the county commission in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census.

By Mr. Barkett:

H. 2660. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969, (Acts 1969, p. 426), which provided for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

By Messrs. Carter and Cross:

H. 2665. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Limestone County.

By Messrs. Bassett and Hardin:

H. 2667. To repeal Act No. 40, H. 63, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2662), entitled, "An Act to permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks."

By Messrs. Bassett and Hardin:

H. 2668. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards

of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

By Messrs. Bassett and Hardin:

H. 2670. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, including the Chairman or Ex-officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a population of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

By Messrs. Bassett and Hardin:

H. 2672. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

By Messrs. Bassett and Hardin:

H. 2673. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bassett and Hardin (with amendment):

H. 2674. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Bassett and Hardin:

H. 2675. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

By Messrs. Cauthen and Slate:

H. 2676. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Morgan County.

By Mr. Coshatt (with notice and proof):

H. 2677. To fix the salaries and allowances of certain officers in St. Clair County and to provide for clerical assistance, office space, equipment and supplies necessary for the conduct of their offices; to remove the Register from the fee basis, placing Register on salary, basis of compensation and fixing salary thereof; providing that all fees charged

or collected by certain officers of the county be paid into the county treasury; repeal all acts or parts of acts in conflict with this Act; provide for a referendum election to be held pursuant to Amendment 196 of the Alabama Constitution of 1901.

By Mr. Coshatt (with notice and proof):

H. 2678. To abolish the Inferior Court of St. Clair County and to create and establish in lieu thereof a new Inferior Court System for St. Clair County, Alabama; to define and prescribe its jurisdiction, powers and venue; to provide for the judges and other officers of said court, their powers, duties, tenure and compensation; to set costs of court; to provide rules of procedure for said court and the operation thereof; to provide for the time and place of the holding of said court; to repeal conflicting laws and provide for the effective date of this Act.

By Messrs. Lutz, Hale, Hearn, King and Grainger:

H. 2686. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, electing to come under the provisions of this Act; providing additional and alternate methods for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits and the transfer of ownership of motor vehicles; relating to the collection and issuance of other county licenses, providing exception; creating a county license department and **providing for the appointment, qualifications, terms, duties and authority of the director and deputy director; transferring certain duties, liabilities, and responsibilities of the tax collector, tax assessor and probate judge to such department; providing for the method by which a county to which this Act applies can elect to come within or withdraw from the provisions of this Act; providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities; and repealing conflicting laws.**

By Messrs. Grainger, King, Hale, Hearn and Lutz (with notice and proof):

H. 2687. To authorize the charging of a "convenience fee" in the amount of 25 cents on the sale of any hunting or fishing licenses sold in Madison County by any special agent who sells hunting or fishing licenses in the City of Huntsville under authority granted pursuant to the provisions of Act No. 623, H. 351, p. 1082, Acts of Alabama, 1951 Regular Session of the Alabama Legislature; prescribing penalties for the violation of the provisions of this Act.

By Messrs. King, Lutz, Grainger, Hale and Hearn (with notice and proof):

H. 2688. To authorize the governing body of Madison County to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforce-

ment of resolutions and regulations made by the county under the authority of this act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

By Messrs. Grainger, King, Hearn, Hale and Lutz:

H. 2689. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

By Messrs. Kinsey and Benton:

H. 2690. Relating to all counties having not more than 61,000 nor less than 57,000 inhabitants according to the last or any subsequent federal decennial census; to empower the boards of registrars in such counties to designate clerks of cities within such counties and chief clerks of the probate courts in such counties to act as deputy registrars; to prescribe the duties and powers of said deputies and the methods by which application may be taken by said deputies, and to determine the hours during which the boards of registrars shall operate in such counties.

By Mr. Easters:

H. 2695. To apply to counties having a population of not less than 34,100, nor more than 34,900, according to the most recent federal decennial census. Authorizing and empowering the County Commission or other county governing body to divide or redivide the County into Commission Districts and to otherwise provide for the election of the members of the Commission.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al (with amendment):

H. 1537. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Casey, et al:

H. 1018. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain

such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons willfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examination of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

H. 1411. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

By Mr. Roberts:

H. 1413. To amend further Section 1 of Act No. 192, H. 252, First Special Session 1964 (Acts 1964, p. 256), an Act providing an annual allowance for purchasing uniforms for deputies sheriff in counties having populations of not less than 300,000 nor more than 500,000, so as to regulate further the amount of such allowance.

By Mr. Roberts:

H. 1416. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

By Mr. Roberts:

H. 1419. Relating to Mobile County, authorizing the county governing body to appropriate and expend county funds for the purpose of paying certain expenses incurred by members of the auxiliary forces of the sheriff's department or by any member of a posse comitatus summoned by the sheriff to aid him in conserving the peace of the county.

By Mr. Wood (with notice and proof):

H. 1971. Relating to Mobile County; to provide that any monies in the county public highway and traffic fund may be used to pay the salary of any deputy sheriff whose duties require him to patrol the public roads and highways of Mobile County; and to make provisions of this Act retroactive to January 1, 1967.

By Messrs. Therrell, Downing, Stokes, Collins, Callahan, Nettles, Wood and Perloff:

H. 2206. Relating to municipalities having populations of not less than 40,000 nor more than 45,000; to provide for the power to fine, punish, imprison, and sentence to hard labor, prisoners in city jails; to compensate prisoners sentenced to hard labor not to exceed two dollars for each day's service.

By Mr. Snell (with notice and proof):

H. 2228. Relating to Chambers County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Chambers County.

By Mr. Snell:

H. 2309. To apply only to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; relieving the chief clerk of the probate judge of such counties of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent.

By Messrs. Collins, Therrell, Callahan, Nettles, Roberts, Stokes and Perloff:

H. 2352. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing authorization for the superintendent of the Public School System in any such county to disburse funds for meals, travel, room and board as provided.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Noonan, Pelham and Dominick:

S. 1069. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act (Title 47, Sections 286-313).

By Messrs. McDonald and Lyons:

H. 976. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

By Messrs. McDonald and Lyons:

H. 977. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

By Messrs. Owens, Lyons and Drake:

H. 1529. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investments by the State Insurance Fund.

By Messrs. Owens, Lyons and Drake:

H. 1530. To amend further Title 28, Section 321, Code of Alabama 1940, as amended, which relates to the state insurance fund; to provide for a discount or surcharge on premiums paid into the fund based on the experience of the individual insureds participating in the fund.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Grainger, et al (with amendments):

H. 1799. To authorize Alabama Public School and College Authority to sell and issue \$10,285,000 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sale thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds and the bonds of the Authority that may be issued under Act No. 94 adopted at the 1971 Special Session of the Legislature, from proceeds of the residue of certain excise taxes, and that the appropriation and pledge made in this Act shall be in lieu of that made in the said Act No. 94; to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, pro rata with the principal of and interest on the bonds issued under the said Act No. 94, the moneys so appropriated and pledged in this Act; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDonald:

H. 2152. To provide the maximum time price differential that may be charged by certain persons under revolving charge agreements; to regulate extensions of credit under revolving charge agreements and to provide penalties for violation of this Act.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Doss, et al:

H. 796. To authorize the governing body of any county having a population of 500,000 or more, according to the last or any subsequent federal census, to use equipment and personnel of the county in improving, beautifying and preparing, any land in the county for public park purposes or recreational purposes, subject to the terms, conditions and restrictions prescribed in this Act.

By Mr. Boutwell, et al:

H. 1076. To authorize and empower the County Commission, Board of Revenue or other governing body of all counties having a population of 600,000 or more according to the last or any subsequent decennial federal census to authorize, approve and pay from the general funds of the county, all necessary and reasonable expenses incurred by the Judge of Probate and his chief assistants in attending conferences and instructional meetings of the Alabama Probate Judges Association and continuing Legal Education Division of the University of Alabama.

By Mr. Waggoner, et al:

H. 1214. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

By Messrs. Weeks, Boutwell and Adwell:

H. 1272. To amend Act No. 344 of the Regular Session of the Legislature of Alabama of 1969, authorizing any city of this State having a population of 300,000 or more, according to the last or any subsequent federal census to pay hospital bills, medical expenses and other expenses incurred by employees of said city in securing treatment of injuries sustained by the employees in line of duty.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg, et al (with amendment):

H. 1520. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), and as amended by Act No. 670, approved September 16, 1953 (General Acts of Legislature of Alabama, 1953, page 927).

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waggoner, et al (with notice and proof):

H. 2647. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Williams, et al (with substitute) (with amendment):

H. 1810. To amend Title 51, Section 178, Code of Alabama 1940, as amended, to increase rate of taxation.

By Mr. Williams, et al (with substitute) (with amendment):

H. 1811. To amend Title 51, Section 177, Code of Alabama 1940, as amended, to increase the rate of taxation.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Erdreich, et al:

H. 400. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hobbie, et al (with amendment):

H. 1123. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reed (T):

H. 378. To amend Sections 1, 2, 3, and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

By Messrs. Flippo, Hill and Cauthen:

H. 412. To provide a state scholarship program to promote the education of nurses at the School of Nursing of Florence State University; and making appropriations therefor.

By Mr. McCorquodale, et al:

H. 1812. To amend Title 51, Section 176, Code of Alabama 1940, as amended, to increase the amount of the license and to reduce the assessment percentages.

By Mr. Harris, et al:

H. 266. To amend Title 13, Section 255, Code of Alabama 1940, as last amended, relating to the appointment of certain deputy district attorneys and their salaries.

By Mr. Mathews, et al:

H. 1805. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

By Mr. Mathews, et al:

H. 1807. To make appropriations for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

By Mr. Turner, et al:

H. 1809. To amend Title 51, Section 182, as amended, Code of Alabama 1940, as amended, to delete the exemption of the first \$50,000.00 from taxation.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hobbie, Williams and Stubbs (with amendment):

H. 1815. To amend Title 51, Section 180, Code of Alabama 1940, as amended, to delete the provision for the exemption of the first one hundred fifty thousand dollars from taxation.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Register, Noonan, Cooper, Dozier, Pelham, Shelby, Harris, O'Bannon, Lybrand, Vacca, Hawkins and Gilmore (with substitute):

S. 541. To amend Act No. 1126, S. 378, Legislature of Alabama of 1969, approved September 13, 1969, (Acts of Alabama, 1969, Special Session 1970, Vol. III, p. 2084), entitled "An Act to provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.", by amending Section 8 thereof relating to State Aid and to provide for financial support on an annual basis for all certified regional planning and development commissions encompassed by the provisions of said Act.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bassett and Hardin:

H. 176. To provide a state cholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making appropriations therefor.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mrs. Wynot, et al (with amendment):

H. 261. To create a continuing women's commission; providing for the operation of such commission; providing for its compensation; defining its duties; and making an appropriation.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al:

H. 1806. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al (with amendment):

H. 1808. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Grainger, et al:

H. 1800. To amend Section 183, Title 51, Code of Alabama 1940 to provide for a license tax on telegraph business measured by gross receipts rather than the mileage of the telegraph line, or lines, operated by it in the State.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale, et al (with amendment):

H. 1813. To amend Title 51, Section 910, Code of Alabama of 1940, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Straiton, et al:

H. 1269. Relating to any county in this State having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census, otherwise known as the Fifteenth Judicial Circuit; providing for an additional Circuit Court Judge in such Circuit.

By Mr. Mathews:

H. 2215. To make an appropriation for the payment of expenses of the Legislature.

By Mr. McCorquodale, et al:

H. 2078. To provide an appropriation to the Alabama Forestry Commission for the purchase of land needed to expand existing forest tree seedling nursery.

MOTION IN WRITING

Mr. Dominick offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Notice having been given on the last Legislative day, motion is now made to add the following new Senate Rules:

RULES RELATING TO LOBBYING

Rule 67. Those required to register. All persons, except members of the Alabama Legislature, or duly authorized aides designated in writing by such members, who seek to encourage the passage, defeat or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the Legislature.

Rule 68. Method of Registration. Every such person shall register on forms prepared by the Secretary and shall state under oath his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

The Secretary shall publish in the Journal, in tabulation form, a list of those filing the registration statements under this Rule together with the information contained therein.

No registered lobbyist shall be permitted upon the floor of the Senate while it is in session.

Rule 69. Registration exception. Any person who, on an isolated basis and without intent to continue beyond a single legislative day, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

Rule 70. Obligations of Lobbyist. A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with the legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

Rule 71. Periodic Reports Required. A lobbyist shall submit to the Secretary of the Senate at the end of every tenth legislative day, commencing with the beginning of the session, a signed and certified statement listing all expenditures incurred, the purpose thereof, and sources from which funds for making such expenditures have come. Within thirty days after the adjournment of the legislature, every lobbyist shall file with the Secretary of the Senate a complete and detailed statement, verified under oath by person making the same, of all expenses paid or incurred in connection with their employment as lobbyist. Said statements shall be rendered in the form provided by the Secretary and shall be open to public inspection.

Rule 72. Ethics Committee Advisory Opinions. A lobbyist when in doubt about the applicability and interpretation of this Rule in a particular context may submit in writing a statement of the facts involved to the Committee on Standards of Official Conduct and may appear in person before said Committee.

The Committee on Standards of Official Conduct may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

Rule 73. Compilation of Opinions; List of Lobbyists. The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Standards of Official Conduct as well as a current list of registered lobbyists and their respective reports required under these Rules, all of which shall be open to public inspection.

Rule 74. Penalties for Violations. Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Standards of Official Conduct. The Committee on Standards of Official Conduct, before making

said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

Rule 75. Secretary to Provide Forms. The Secretary shall provide blank affidavits for the convenience of registrants but the burden of compliance nevertheless always shall be upon the person required to register.

Rule 76. Committees to be Diligent. Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this Rule, and to report violations. No committeeman knowingly shall permit an unregistered lobbyist to be heard.

Which was read and referred to the Standing Committee on Rules.

ADOPTION OF RESOLUTIONS

The Resolutions:

S. J. R. 93. Honoring William H. Benson and naming a building at Alabama State University after him.

S. J. R. 94. Honoring Dr. Zelia Stephens and naming a building after her on the Alabama State University Campus.

H. J. R. 155. Honoring Bruce V. Hain.

H. J. R. 156. Honoring John Blanton for outstanding service to his country and his state.

H. J. R. 162. Honoring the City of Jasper.

H. J. R. 164. Commending Mr. L. C. McMillan.

H. J. R. 166. Commending and congratulating Honorable Marvin Dodson.

H. J. R. 167. Honoring Dr. Zelia Stephens and naming a building after her on the Alabama State University Campus.

H. J. R. 168. Honoring William H. Benson and naming a building at Alabama State University after him.

H. J. R. 175. To name Highway 101 in Lauderdale County the Don L. Michael Memorial Highway.

H. J. R. 180. Commending Representatives Phil Smith and Murray P. McCluskey for their hospitality shown to the members of the Legislature on Sunday, August 22, 1971, at the Talladega 500 Stock Car Race.

H. J. R. 185. Naming the new complex at Shelton State Technical Institute the Harold I. James Mechanical Technology Building.

were again read and, on motion of Mr. Clark, were adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Communication from the Department of Education and ordered same returned to the Senate with a favorable report, to-wit:

Communication from the Department of Education containing the appointment of members of the University of Alabama Board of Trustees.

On motion of Mr. Shelby, the appointment of Honorable Winton M. Blount, Honorable Ehney A. Camp, Jr. and Honorable John T. Oliver, Jr. to the University of Alabama Board of Trustees was confirmed by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Edington	Lindsey	Pelham
Branyon	Fine	Littleton	Pierce
Carr	Foshee	Lybrand	Register
Clark	Gilmore	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson

—31

Nays:

—0

REPORT OF COMMITTEE ON CONFERENCE ON SENATE BILL 306

We, the committee on conference appointed to reconcile the difference of the two houses concerning the House Amendment to Senate Bill 306, have met in conference, considered the matter in conference, and have agreed to the following report:

Amend Senate Bill 306, as amended by the House, by striking all words and figures in Section 3, paragraph (a) of said bill from and after the colon following the words "to which the grant is made" and preceding the semicolon followed by the word "provided" and inserting in lieu thereof the words and figures as follows:

"Six percentum (6%) of the anticipated cost for the construction and equipment of facilities that will occupy said site when such costs are \$100,000 or less; Five percentum (5%) of the anticipated cost when such anticipated costs exceeds \$100,000 but does not exceed \$200,000, but in no event shall the grant be less than \$6,000; Four percentum (4%) of the anticipated cost when such anticipated costs exceeds \$200,000 but does not exceed \$400,000, but in no event shall the grant be less than \$10,000; Three percentum (3%) of the anticipated cost when such anticipated costs exceeds \$400,000 but does not exceed \$800,000, but in no event shall the grant be less than \$16,000; Two percentum (2%) of the anticipated cost when such anticipated costs exceeds \$800,000 but does not exceed \$1,600,000, but in no event shall the grant be less than \$24,000; One percentum (1%) of the anticipated cost when such anticipated costs exceeds \$1,600,000 but does not exceed \$10,000,000, but in no event shall the grant be less than \$32,000; Three quarters of one percentum ($\frac{3}{4}\%$) of the anticipated cost when such anticipated costs exceeds \$10,000,000 but does not exceed \$20,000,000, but in no event shall the grant be less than \$100,000;"

/s/ Ira D. Pruitt
 /s/ Retha Deal Wynot
 /s/ Frank Jackson
 Conferees on the part of the House

/s/ James S. Clark
 /s/ Kenneth Hammond
 /s/ E. C. Foshee
 Conferees on the part of the Senate

CONFERENCE REPORT

On motion of Mr. Clark, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Edington	Lindsey	Pierce
Branyon	Fine	Littleton	Register
Carr	Foshee	Lybrand	Sheiby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Wilder
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Jones	Owen	

—30

Nays:

—0

And said Bill, S. B. 306, as thus amended by the Conference Report, was again read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Cook	Fine	Hawkins
Bailes	Cooper	Foshee	Jones
Branyon	Dominick	Givhan	King
Carr	Dozier	Hammond	Lindsey
Clark	Edington	Harris	Littleton

Lybrand
Malone
Noonan

O'Bannon
Owen
Pelham

Pierce
Register
Shelby

Vacca
Wilder
Wilson

—31

Nays:

—0

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with the recommendation that it be returned to His Excellency, the Governor, to-wit:

Message from the Governor relative to the State Forestry Commission.

On motion of Mr. Clark, unanimous consent was granted for said Message to be returned to the Governor for further study.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 186. Naming H. B. 198 the "Timmons and Lybrand Insurance Act."

On motion of Mr. Clark, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 161. Commending the Alabama Charioteers of Pike County for representing their home state in the National Drum and Bugle Corps competition in Houston, Texas.

On motion of Mr. Cook, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 54. Declaring Saturday, September 25, 1971, Capital City Bowl Day throughout Alabama.

On motion of Mr. Horne, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 7. The creation of a Highway Policy and Planning Commission.

The Standing Committee on Rules reported the following substitute for the Resolution, S. J. R. 7, to-wit:

SUBSTITUTE FOR S. J. R. 7

S. J. R. 7. THE CREATION OF A HIGHWAY POLICY AND PLANNING COMMISSION.

WHEREAS, the Joint Interim Study Committee on Highway Financing, has recommended the creation of a Highway Policy and Planning Commission to establish a long-range financing program for federal, state, city and county highways; and

WHEREAS, this body feels that such a commission will serve the best interests of the people of Alabama in studying current conditions, future needs, and present and projected sources of revenue for an expanded highway program; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a Highway Policy and Planning Commission is hereby established, consisting of three Senators appointed by the Lieutenant Governor and three Representatives appointed by the Speaker of the House.

BE IT FURTHER RESOLVED, That the members of the Highway Policy and Planning Commission shall serve without pay, but shall receive their regular legislative per diem and expense allowance for each day spent in the performance of their duties.

Mr. O'Bannon offered the following amendment to the substitute for the Resolution, S. J. R. 7, to-wit:

AMENDMENT TO RULES COMMITTEE SUBSTITUTE FOR S. J. R. 7

Amend S. J. R. 7 by adding thereto the following:

"Provided that said commission shall not meet more than ten (10) calendar days in any one calendar year."

Which was adopted.

And the substitute, as thus amended, for the Resolution, S. J. R. 7, was then adopted by the Senate.

And said Resolution, S. J. R. 7, as thus amended by the substitute, was then adopted by the Senate.

MOTION IN WRITING

Mr. Cook offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Notice in Writing having been given on the preceding legislative day, motion is now made to amend Senate Rule 46 by striking therefrom "18. Public Buildings and Grounds. 9 members" and substituting in lieu thereof the following: "18. Governmental Operations. 9 members"

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF MOTION TO
RECONSIDER S. B. 917

The Senate proceeded to consideration of the Motion in Writing by Mr. Harris to reconsider the vote by which the Bill, S. B. 917, was passed, which said Motion in Writing is set out at length in the Journal of the Senate for the Thirty-first Legislative Day.

Mr. Fine moved that said Motion in Writing be laid on the table, which motion was lost.

Yeas 8; Nays 19.

Yeas:

Messrs.:
Clark
Dozier

Fine
Foshee

Hammond
Littleton

Pelham
Shelby

—8

Nays:

Messrs.:
Bailes
Branyon
Carr
Cook

Dominick
Edington
Gilmore
Harris
Hawkins

Horne
Jones
King
Lindsey
Lybrand

Noonan
Owen
Pierce
Vacca
Weaver

—19

The question recurred on the motion of Mr. Harris to reconsider the vote by which the Bill, S. B. 917, was passed.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 2142. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. B. 917

The Senate proceeded to further consideration of the Bill, S. B. 917. The question was on the motion of Mr. Harris that the Senate reconsider the vote by which the Bill, S. B. 917, was passed.

MOTION TO RECONSIDER

On motion of Mr. Wilson, the Senate reconsidered the vote by which the Bill:

H. 1874. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

was passed.

On motion of Mr. Wilson, the Senate reconsidered the vote by which the Bill, H. B. 1874, was ordered to its third reading.

Mr. Wilson then offered the following amendment to the Bill, H. B. 1874, to-wit:

AMENDMENT TO HOUSE BILL 1874

Amend House Bill 1874 by deleting Section 3 of said bill in its entirety and inserting in lieu thereof the following:

"Section 3. Each authority shall consist of fifteen members appointed by the Governor, on recommendation of the legislators representing the county in which the coliseum will be located. All members shall be residents of such county. Seven of the initial appointees shall be appointed for two year terms and eight such appointees shall be appointed for four years terms. At the expiration of the terms of the initial members, all members shall be appointed for four year terms."

Further amend House Bill 1874 in Section 5 of said bill by deleting the word "five" in line 3 of said section and inserting in lieu thereof the word "seven."

Further amend House Bill 1874 in Section 6 of said bill by deleting the word "five" where same appears therein and insert in lieu thereof the word "seven."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Carr	Fine	McLain	Pierce
Clark	Hammond	Malone	Shelby
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

And said Bill, H. B. 1874, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Carr	Fine	McLain	Pierce
Clark	Foshee	Malone	Shelby
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

FURTHER CONSIDERATION OF S. B. 917

The Senate proceeded to further consideration of the Bill, S. B. 917. The question was on the motion of Mr. Harris that the Senate reconsider the vote by which the Bill, S. B. 917, was passed.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 1235 To make additional appropriations to the Board of Corrections for the fiscal year ending September 30, 1971.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Drake and St. John:

H. J. R. 190. NAMING THE HEALTH BUILDING AT SNEAD JUNIOR COLLEGE FOR LURLEEN WALLACE.

WHEREAS Lurleen Burns Wallace, by her devoted service to the cause of education, won the undying admiration of students and teachers alike at every educational institution in the state; and

WHEREAS the faculty and students at Snead Junior College at Boaz, Alabama are deeply appreciative of the interest and energy exhibited by this great lady in behalf of their institution; and

WHEREAS it is the desire of this body and all of those concerned with Snead Junior College that a memorial to our gracious late Governor be instituted on its campus, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new Health and Physical Education Building on the campus of Snead Junior College be named the Lurleen B. Wallace Building.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the President of Snead Junior College.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Foshee, the Rules were suspended and the Resolution, H. J. R. 190, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate.

S. J. R. 84. COMMENDING THE ALABAMA CHARIOTEERS, A DRUM AND BUGLE CORPS OF PIKE COUNTY.

Also:

S. J. R. 87. MOURNING THE DEATH OF FRED BATEMAN HOVER, JR. OF CHICKASAW, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Hill and Flipppo:

H. J. R. 176. HONORING DR. E. B. NORTON, PRESIDENT OF FLORENCE STATE UNIVERSITY, FOR HIS MANY YEARS OF SERVICE TO THE STATE OF ALABAMA.

Also:

By Mr. Turnham:

H. J. R. 177. COMMENDING THE AUBURN TIGERS FOR THEIR 1971 GATOR BOWL WIN.

Also:

By Mr. Crowe:

H. J. R. 178. HONORING JIMMIE RODGERS.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 182. HONORING DR. ERIC RODGERS ON HIS RETIREMENT AS DEAN OF THE GRADUATE SCHOOL OF THE UNIVERSITY OF ALABAMA.

Also:

By Messrs. Crowe and Naramore:

H. J. R. 183. MOURNING THE DEATH OF GERALD M. ROBERTSON.

Also:

By Mr. Smith (K):

H. J. R. 184. CONGRATULATING MRS. DEBBIE NEWMAN SANFORD UPON WINNING THE TITLE "MRS. AUBURN."

Also:

By Messrs. Connell and Crawford:

H. J. R. 187. COMMENDING THE PILOT CLUB INTERNATIONAL ON THEIR 50th ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 176, 177, 178, 182, 183, 184 and 187, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Robertson, Parker (T), Bank and Culver:

H. 1276. To provide for fixing the compensation and payment of Court Reporters for the Sixth Judicial Circuit of Alabama.

Also:

By Messrs. Agee and McCorquodale:

H. 2397. To levy in Choctaw County a county privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Choctaw County, from depths below 6,000 feet, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced in the Alabama Legislature affecting Choctaw County, Alabama.

A BILL
TO BE ENTITLED
AN ACT

To levy in Choctaw County a county privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Choctaw County, from depths below 6,000 feet, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "department" means the state department of revenue. (b) The word "county" means Choctaw County, Alabama. (c) The word "annual" means the calendar year, of the taxpayer's fiscal year, when permission is obtained from the department to use a fiscal year as a tax period in lieu of a calendar year. (d) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the department shall determine the value of the oil or gas subject to the tax hereinafter provided for, considering the sale price for cash of oil or gas of like quality. (e) The word "oil" means crude petroleum oil and other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (f) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in subsection (e) above. (g) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil or gas, whether such extraction or withdrawal shall be by natural flow, mechanically enforced flow, pumping, or any other means employed to get the oil or gas from the soil or water or from below the surface of the soil or water from depths below 6,000 feet. (h) The word "person" means any natural person, firm, co-partnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (i) The word "producer" means any person engaging or continuing in the business of oil or gas production in Choctaw County which, for the purpose of this act, includes the owning, controlling, managing, or leasing any oil or gas property or oil or gas well; and producing in any manner any oil or gas by taking it from the soil or waters, or from beneath the soil or waters of Choctaw County, from depths below 6,000 feet, and further includes receiving money or other valuable consideration as royalty or rental for oil or gas produced or because of oil or gas produced, whether pro-

duced by him or by some other person on his behalf, either by lease, contract, or otherwise, and whether the royalty consists of a portion of the oil or gas produced being run to his account or a payment in money or other valuable consideration. (j) The words "leasehold interest" means the interest of person holding as a grantee or lessee under an oil and gas lease or lease of oil, gas and other minerals. Such interest includes the right on the part of the lessee to drill and produce, and is subject to the payment to the lessor of a royalty of a stated fraction or percentage of the production, free of operating expense, either in kind or at the prevailing price at the time of production.

Section 2. (a) In addition to the state privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state pursuant to Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20), there is hereby levied and to be collected as hereinafter provided, annual privilege taxes upon the leasehold interest of every person engaging or continuing to engage within Choctaw County, Alabama, in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters of said county, from depths below 6,000 feet, for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of one per cent of the gross value of said oil or gas at the point of production.

(b) The tax is hereby levied upon the basis of the entire production derived from the leasehold interest in Choctaw County, produced from depths below 6,000 feet, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state or county; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or waters of said county, and in its natural, unrefined or unmanufactured condition.

Section 3. (a) The privilege tax hereby imposed in Choctaw County is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations in said county who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this act; and such tax shall constitute a first lien upon any of the oil or gas so produced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state or condition. In the event the person in charge of production operations fails to pay the tax, then the department shall proceed against the producer to collect the tax in the manner hereinafter provided by this act.

(b) When any person in charge of production operations shall sell the oil or gas produced by him, the purchaser shall account for the tax.

(c) When any person in charge of production operations shall use or dispose of the oil or gas for fuel or any other purpose, he shall withhold the tax imposed by this act; and, if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this act before making payment to them.

(d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil

or waters, of said county who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price, when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable for the full amount of taxes, interest, and penalties due; and the department shall proceed to collect the tax from the person in charge of production operations, under the provisions of this act, as if he were the producer of the oil or gas.

Section 4. The state department of revenue is hereby authorized and directed to administer and enforce the provisions of this act and to collect all of the taxes levied under the provisions herein. To that end said department is authorized to promulgate and enforce all necessary rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue relating to assessments and the manner and time of payment of the tax levied by Act No. 2, H. 47, approved May 19, 1945 (General Acts 1945, p. 20), as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The department of revenue is hereby authorized to charge the county for collecting the special tax levied by this act whenever said department incurs costs therefor which are in addition to the costs for collecting the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945, as amended. The amount charged shall be such amount as the commissioner or revenue and the county governing body shall agree upon, but shall not exceed five (5) percent of the amount collected. Such charges, if any, for collecting the taxes for the county may be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue. On or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Choctaw County during the month immediately preceding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in such month any charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the treasurer or custodian of Choctaw County general funds. Funds in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of Choctaw County.

Section 7. Any party making or participating in a false return made under the provisions of this act or incorporated herein shall be guilty of perjury and upon conviction shall be punished in the manner prescribed by law.

Section 8. If it is brought to the attention of the department that any producer is guilty of violating any of the provisions of this act, the department is hereby authorized and required, through lawfully authorized counsel, to proceed in the courts of the State to obtain a writ of injunction, which writ shall be granted by the court when applied for in the manner prescribed by law. The department, however, is hereby relieved of the requirement to furnish bond of any character.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective on the first day of the third month succeeding the month during which it becomes law.

THE STATE OF ALABAMA
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the attached Legal Notice as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date July 15 1971, and ending with the issue dated August 5, 1971. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn and subscribed to before me this, the 5th day of August, 1971.

NELL F. EZELL,
7-17-74.

Also:

By Mr. Smith (P):

H. 2264. To repeal Act No. 263, S. 410, Regular Session 1967, which became a law on August 30, 1967, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; creating a "Board of Control"; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of the Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county."

Also:

By Mr. Smith (P):

H. 2265. To repeal Act No. 696, S. 894, Regular Session 1969, approved September 9, 1969, entitled "An Act To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act, to provide additional taxation."

Also:

By Mr. Smith (P):

H. 2267. Applying to Talladega County; providing for a referendum to be held in such county upon certain conditions to determine whether certain alcoholic beverages can legally be sold in certain places in such county; and providing that certain alcoholic beverages can legally be sold in certain places in such county upon the holding of a referendum in such county under Section 68, Title 29, Code of Alabama, 1940, in which a majority of those voting vote "yes".

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Applying to Talladega County; providing for a referendum to be held in such county upon certain conditions to determine whether certain alcoholic beverages can legally be sold in certain places in such county; and providing that certain alcoholic beverages can legally be sold in certain places in such county upon the holding of a referendum in such county under Section 68, Title 29, Code of Alabama, 1940, in which a majority of those voting vote "yes".

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only to Talladega County.

Section 2. An election shall be held in Talladega County on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature to determine whether the sale of packaged beer shall be legal outside the city limits of cities and towns in such county having a population over 600 according to the last or any succeeding federal decennial census.

Section 3. If a date other than that provided for in Section 2 of this act is duly established for the holding of an election upon proposed constitutional amendments adopted at the current session of the Legislature, the election provided for hereunder shall be held upon the first such date so duly fixed in lieu of the date provided for in Section 2 of this act.

Section 4. Such election shall be held and the officers appointed to hold same in the manner provided by law for holding other county elections, and the returns thereof tabulated and results certified as provided by law for such elections.

Section 5. On the ballot to be used for such election the question shall be in the following

Section 5. On the ballot to be used for such election the question shall be in the following form:

"Do you favor the legal sale of package beer outside the city limits of cities of over 600 population in Talladega County? Yes _____ No _____"

Section 6. (a) If a majority of the qualified electors voting in such election vote "Yes" the sale of package beer for off-premises consumption shall be legal in such county outside the city limits of cities and towns having a population of over 600 according to the last or any succeeding federal decennial census; provided, however, that such sales shall be subject to all the provisions of general or local laws applying to such county regulating sales of alcoholic beverages.

(b) If a majority of the qualified electors voting in such election vote "No", sales of package beer for off-premises consumption shall not be legal in such county outside the city limits of cities and towns having a population of over 600 according to the last or any succeeding federal decennial census, notwithstanding the provisions of any other local law applicable to such county.

Section 7. If an election is held in such county under the provisions of Section 68, Title 29, Code of Alabama, 1940, after July 1, 1971, and on or before the date of the election provided for in this act, the election provided for in this act shall not be held.

Section 8. (a) If an election is held in such county under the provisions of Section 68, Title 29, Code of Alabama, 1940, after July 1, 1971, and on or before the date of the election as provided for in this act, and a majority of the qualified electors voting therein vote "Yes", the sale of package beer for off-premises consumption shall be legal in such county outside the city limits of cities and towns having a population of over 600 according to the last or any succeeding federal decennial census; provided, however, that such sales shall be subject to all the provisions of general or local laws applying to such county regarding the sale of alcoholic beverages.

(b) If an election is held in such county under the provisions of Section 68, Title 29, Code of Alabama, 1940, after July 1, 1971, and on or before the date of the election as provided for in this act, and a majority of the qualified electors voting therein "No", this act shall be of no further force and effect.

Section 9. Nothing in this act shall be deemed to restrict the right to petition for and hold an election under the provisions of Section 68, Title 29, Code of Alabama, 1940, and nothing in this act shall be deemed to permit the sales of alcoholic beverages in such county if a majority of the qualified electors voting in an election under such section vote "No".

Section 10. This act is intended to be cumulative with local and general acts applying to such county regarding the sale of alcoholic beverages.

Section 11. This act shall become effective immediately upon its approval and passage by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the at-

tached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 3, all in the year 1971.

LENA ROBINSON.

Sworn to and subscribed before me 3rd of August, 1971.

ZELL S. COPELAND,
Notary Public.

Also:

By Messrs. Benton and Kinsey:

H. 2450. To levy in Baldwin County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Baldwin County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purpose of this act; to provide that the revenue derived from the tax shall be paid into the General Fund of Baldwin County; and to prescribe additional penalties for certain violations.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF
LOCAL ACT

STATE OF ALABAMA
BALDWIN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy in Baldwin County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Baldwin County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purpose of this act; to provide that the revenue derived from the tax shall be paid into the General Fund of Baldwin County, and to prescribe additional penalties for certain violations.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "department" means the state department of revenue. (b) The word "county" means Baldwin County, Alabama. (c) The word "annual" means the calendar year, or the taxpayer's fiscal year, when permission is obtained from the department to use a fiscal year as a tax period in lieu of a calendar year. (d) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the department shall determine the value of the oil or gas subject to the tax hereinafter provided for, considering the sale price for cash of oil or gas of like quality. (e) the word "oil" means crude petroleum oil and other hydrocarbons regardless of gravity which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (f) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in subsection (e) above. (g) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil or gas, whether such extraction or withdrawal shall be by natural flow, mechanically enforced flow, pumping, or any other means employed to get the oil or gas from the soil or water or from below the surface of the soil or water. (h) The word "person" means any natural person, firm, copartnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (i) The word "producer" means any person engaging or continuing in the business of oil or gas production in Baldwin County which, for the purpose of this act, includes the owning, controlling, managing, or leasing any oil or gas property or oil or gas well; and producing in any manner any oil or gas by taking it from the soil or waters, or from beneath the soil or waters of Baldwin County, and further includes receiving money or other valuable consideration as royalty or rental for oil or gas produced or because of oil or gas produced, whether produced by him or by some other person on his behalf, either by lease, contract, or otherwise, and whether the royalty consists of a portion of the oil or gas produced being run to his account or payment in money or other valuable consideration.

Section 2. (a) In addition to the state privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state pursuant to Act No. 2, H. 47, approved May 19, 1945 Gen. Acts 1945, p. 20), there is hereby levied and to be collected as hereinafter provided, annual privilege taxes upon every person engaging or continuing to engage within Baldwin County, Alabama in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters of said county for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of one per cent of the gross value of said oil or gas at the point of production.

(b) The tax is hereby levied upon the basis of the entire production in Baldwin County, including what is known as the royalty interest, on which production the amount of such tax shall be lien, regardless of the place of sale or to whom sold or by whom used, or the fact that the delivery may be made to points outside the state or county; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or waters of said county, and in its natural, unrefined or unmanufactured condition.

Section 3. (a) The privilege tax hereby imposed in Baldwin County is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations in said county who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this act; and shall constitute a first lien upon any of the oil or gas so produced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state or condition. In the event the person in charge of production operations fails to pay the tax, then the department shall proceed against the producer to collect the tax in the manner hereinafter provided by this act.

(b) When any person in charge of production operations shall sell the oil or gas produced by him, the purchaser shall account for the tax.

(c) When any person in charge of production operations shall use or dispose of the oil or gas for fuel or any other purpose, he shall withhold the tax imposed by this act; and, if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this act before making payment to them.

(d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil or waters, of said county who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price, when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable for the full amount of taxes, interest, and penalties due; and the department shall proceed to collect the tax from the person in charge of production operations, under the provisions of this act, as if he were the producer of the oil or gas.

Section 4. The state department of revenue is hereby authorized and directed to administer and enforce the provisions of this act and to collect all the taxes levied under the provisions herein. To that end said department is authorized to promulgate and enforce all necessary rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue relating to assessments and the manner and time of payment of the tax levied by Act No. 2, H. 47, approved May 19, 1945 (General Acts 1945, p. 20), as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The department of revenue is hereby authorized to charge the county for collecting the special tax levied by this act whenever said department incurs costs therefor which are in addition to the costs for collecting the state oil and gas tax levied by Act. No. 2, H. 47, approved May 19, 1945, as amended. The amount charged shall be such amount as the commissioner of revenue and the county governing body shall agree upon, but shall not exceed ten percent of the amount collected. Such charges, if any, for collecting the taxes for the county may be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month.

The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue. On or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Baldwin County during the month immediately preceding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury for the benefit of the county during each month the commissioner may deduct from the taxes collected in such month any charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue him warrant each month payable to the Treasurer of Baldwin County, or such other person who is or might be the lawful custodian of said county in an amount equal to the amount so certified by the commissioner of revenue as having been collected for deposit by the Treasurer or custodian in the General Fund of Baldwin County.

Section 7. Any party making or participating in a false return made under the provisions of this act or incorporated herein shall be guilty of perjury and upon conviction shall be punished in the manner prescribed by law.

Section 8. If it is brought to the attention of the department that any producer is guilty of violating any of the provisions of this act, the department is hereby authorized and required, through lawfully authorized counsel to proceed in the courts of the State to obtain a writ of injunction, which writ shall be granted by the court when applied for in the matter prescribed by law. The department, however, is hereby relieved of the requirement to furnish bond of any character.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective October 1, 1972.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

J. H. Faulkner, being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of, Notice of Local Act—"Oil", was published in said newspaper for 4 consecutive weeks in the following issues: Date of 1st publication July 22, 1971, Date of 2nd publication July 29, 1971, Date of 3rd publication Aug. 5, 1971, Date of 4th publication Aug. 12, 1971.

J. H. FAULKNER,
Editor.

Subscribed and sworn before the undersigned this 12th day of Aug., 1971.

SAMUEL K. SMITH,
Notary Public, Baldwin County.

Also:

By Messrs. Dill, Parker (H) and Timmons:

H. 1152. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the State having a population of 300,000, or more, according to the last or any subsequent Federal census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for such governing body to elect members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease such facilities to others; to grant the Authority other powers incidental to the powers above enumerated, including the power of eminent domain; to authorize the city to aid the Authority in planning, constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in an indenture by the Authority and a trustee, or by resolution providing for the issuance of the bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county wherein the Authority is situated; to provide that bonds or other debts of the Authority shall not constitute a debt of the State or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds; to exempt the Authority and its property from all taxation, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this State to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

Also:

By Messrs. Falkenburg, Doss, Parker (H), Ellis, Boutwell, Dill and Weeks:

H. 2722. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

AN ACT

To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Jefferson County a Court with limited concurrent jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under the provisions of Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to entertain and act upon matters pertaining to probation, in cases so disposed of, in accordance with Chapter 2, Title 42 of the Code of Alabama of 1940 as recompiled in 1958. The Court shall be a court of record and shall be known as the Jefferson County Court of Criminal Pleas.

Section 2. (a) The Jefferson County Court of Criminal Pleas shall have the authority to punish for contempt by a fine not to exceed fifty dollars, and by imprisonment, not to exceed five days.

(b) The judge shall have the same power and authority to appoint an attorney to represent an indigent defendant as do Circuit Court judges.

Section 3. (a) For their attendance upon the sessions of the Court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the Circuit Courts, which fees and allowances shall be taxed, collected and paid in the same manner and according to the same rules as apply in the Circuit Courts.

(b) The Courts shall have authority to tax costs to be taxed, collected and paid in the same manner and according to the same rules and laws as apply in the Circuit Courts.

Section 4. Appeal of any appealable judgment, order or ruling of the Court lies to The Alabama Court of Criminal Appeals, and shall be governed by the same laws and rules which govern criminal appeals from Circuit Courts.

Section 5. The Circuit Clerk of Jefferson County shall be the Clerk of the Court herein established and shall prepare, process and keep all records pertaining to all cases in this Court in the same manner and subject to the same rules and laws which apply to the processing of these cases in the Circuit Courts, including appeals, to The Alabama Court of Criminal Appeals.

Section 6. The Judges of the Criminal Court of Jefferson County, and their successors, shall, upon taking the oath prescribed by Section 279 of the Constitution of Alabama, become ex officio judges of the Jefferson County Court of Criminal Pleas, with full power and authority to effectuate the intent and purpose of this Court and of this Act. The judges may be removed from office as judges of this Court for any cause enumerated in Section 173 of the Constitution of Alabama and in the manner provided by law, and their term as judges of the Jefferson County Court of Criminal Pleas shall be a four year term and shall commence and end on the same dates as their term as judges of the Criminal Court of Jefferson County except that their

first term shall commence on the first day of the month next following the date when this Act is approved by the Governor or otherwise becomes law.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall take effect on the first day of the month next following the date of its enactment.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of July 31, August 7, 14, 21, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 21st day of August, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Jones (F), Taylor, Harris and Straiton:

H. 2758. To create one additional county court judgeship for all counties having populations of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census; to provide for the election of a judge for such judgeship; to provide for the appointment of an interim judge for such judgeship; to prescribe the jurisdiction, power, authority, duties, and responsibilities of such judgeship; to determine the staff, office equipment, supplies, office space, and all other matters incident to the proper exercise of the powers of such judgeship; to provide for the deposit of fees and costs due such additional judge, and to fix the amount and method of compensation to be paid to the judge of such judgeship.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1276, 2397, 2264, 2265, 2267, 2450 and 2758. To the Committee on Local Legislation No. 1.

H. B.'s 1152 and 2722. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 547. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Weston, in Marion County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Weston, in Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Weston, in Marion County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said town all of the following additional described territory, to-wit:

N½ of NW¼ and the NW¼ of NE¼ all in section 29, Township 10 South, Range 14 West, Marion County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect on its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me June 2, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 878. To amend the title and Section 1 of Act No. 357, H. 903, Regular Session 1969 (Acts 1969, p. 730), which act provides an expense allowance for the county engineer payable from county general funds, in certain counties classified on a population basis.

Also:

By Mr. Gray (F):

H. 2179. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing a clerk hire allowance for the Sheriff of said counties payable out of the general funds of the county.

Also:

By Mr. Grey (D):

H. 2468. To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

THE STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To altar, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Kennedy, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The SE $\frac{1}{4}$ of NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 10; the S $\frac{1}{2}$ of N $\frac{1}{2}$, and the S $\frac{1}{2}$ of Section 11; the N $\frac{1}{2}$ of Section 14; the N $\frac{1}{2}$, the N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 15; the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, the E $\frac{1}{2}$ of SW $\frac{1}{4}$, the W $\frac{1}{2}$ of SE $\frac{1}{4}$, and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 the NE $\frac{1}{4}$, the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21. All being in Township 17 South, Range 14 West, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

THE STATE OF ALABAMA
LAMAR COUNTY

Before me, Nellie Ruth Taggart, a Notary Public in and for said County, personally appeared Rex Rainwater, Publisher of THE LAMAR DEMOCRAT, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once a week for 4 consecutive weeks in said paper in issues dated as follows: May 13, 1971, May 20, 1971, May 27, 1971, June 3, 1971.

REX RAINWATER,
Publisher.

Subscribed and sworn to before me, this the 3rd day of June, 1971.

NELLIE RUTH TAGGART,
Notary Public.

My Commission Expires 8-23-73.

Also:

By Messrs. McDonald, Drake and St. John:

H. 2578. Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act.

Also:

By Mr. Smith (K):

H. 2652. Relating to all counties having populations of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Also:

By Messrs. Carter and Cross:

H. 2663. To alter, rearrange or extend the boundary lines of the City of Athens in Limestone County, Alabama, so as to include within the corporate limits of said city all territory now within said corporate limits and also certain other territory contiguous thereto in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
LIMESTONE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange or extend the boundary lines of the City of Athens in Limestone County, Alabama, so as to include within the

corporate limits of said city all territory now within said corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the municipality of Athens, in Limestone County, Alabama, are hereby altered, rearranged and extended to include within the corporate limits of the City of Athens, Alabama, in addition to the territory now embraced therein, the following described territory situated in Limestone County, Alabama, to-wit:

A tract or parcel of land lying and being in the following sections and one quarter section of Township 3 South, Range 4 West of the Huntsville Meridian;

And is more particularly described to-wit: Beginning at a point where the West Boundary of Section 21, Township 3 South, Range 4 West intersects the existing City Limits Boundary. Said point is 500.0 feet plus or minus, South of the North West corner of said Section 21; thence run South along the West boundary of said Section 21 to the South West corner of Section 21; thence run East along the South Boundary of Section 21 to the East right-of-way margin of the Bee Line Highway; thence run South along the East right-of-way margin to the center of Section 28; Township 3 South, Range 4 West; thence run East along the Center of Section 28 to the center of the East boundary line of said Section 28; also the following described property that is in the North West one quarter of the South West one quarter of Section 27, Township 3 South, Range 4 West and West of Swan Creek and more particularly described as beginning at the North West corner of the South west quarter of said Section and thence run South 1420.0 feet; thence run East 1770.0 feet to the center of Swan Creek; thence up the center of said creek to the Quarter Section line; thence continue along said center line of Swan Creek as it meanders in a North-Westward direction to the North boundary of said Section 27; thence run West along the North boundary of said Section 27 to the North West corner of said Section 27; thence run North along the West Boundary line of Section 22 and the East boundary of Section 21 for a distance of 500.0 feet to a point; thence run due West for a distance of 2600 feet plus or minus to the East right-of-way margin of the Bee Line Highway right-of-way; thence run North along the East right-of-way margin and parallel with the center of said Section 21 to a point where the existing City of Athens, City Limits intersects the East right-of-way; thence run West along the existing City limits boundary to the intersection with the West Boundary of said Section 21 to the point of beginning. All being in Limestone County, Alabama.

Section II. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edna Brackeen, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Asst. Adv. Manager of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Ala-

bama, said notice having appeared in the issues of said paper on July 27, Aug. 3, Aug. 10, and Aug. 17, all in the year 1971.

EDNA BRACKEEN.

Sworn to and subscribed before me Aug. 17, 1971.

W. R. NELSON,
Notary Public.

Also:

By Messrs. Baker, Williams and Chesnut:

H. 2693. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

Also:

By Messrs. Naramore and Crowe:

H. 2698. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sumiton, in Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Sumiton in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Sumiton in Walker County are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

Commence at the N.W. corner of N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Sec. 15 T-15-S R-5-W for the point of beginning. Thence SOUTH along west boundary of said forty to S.W. corner of said forty. Thence continue south in a straight line along west boundary of S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ a distance of 330.0 ft. Thence east to west property line of Robert Haun property. Thence south along said west line of Robert Haun property to center line of public paved road. Thence east along center line of said public paved road to east line of S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$. Thence south along east boundary of said forty to S.E. corner. Thence east along south boundary of S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ to property line that is between Howard Porterfield and Troy Young Thence north along west boundary of Howard Porterfield property line to center line of public paved road. Thence west along said center line of paved public road to the west boundary of S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$. Thence south along west boundary of said forty to the S.W. corner of said forty. Thence west along south boundary of S.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Sec. 15 T-15-S R-5-W to center line of old Bryan road. Thence north along center line of old Bryan paved public road to south property line of Lindsey Graham. Thence west along Lindsey Graham property line to the west boundary of the S.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$. Thence north to the N.W. corner of N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$

sec. 15 T-15-S R-5-W Thence east along north boundary of said N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Sec. 15 T-15-S R-5-W to the N.E. corner of N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared H. S. PRINCE, JR., PUBLISHER of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: JULY 28, AUG. 4, AUG. 11, and AUG. 18, 1971.

H. S. PRINCE, JR.

Sworn and subscribed to before me, This 13th day of AUGUST 1971.

R. W. BOTELER, JR.
Notary Public.

Also:

By Messrs. Naramore and Crowe:

H. 2699. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sumiton, in Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Sumiton in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Sumiton in Walker County are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

Commence at the N.W. corner of the N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ Sec. 14 T-15-S R-5-W Jefferson county Alabama For the point of beginning. Thence South along west boundary of said forty a distance of 1326.30' to S.W. corner of said forty. Thence east along south boundary of said forty a distance of 1348.03 ft. to S.E. corner of said forty. Thence North along east boundary of said forty a distance of 663.09'. Thence west a distance of 675.07 ft. Thence north a distance of 663.12 ft. to north boundary of N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$. Thence west along said north boundary of said forty a distance of 676.13 ft. to the point of beginning. Containing 30 acres more or less.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
COUNTY OF WALKER**

Before me, the undersigned authority in and for said State and County, this day personally appeared H. S. PRINCE, JR., PUBLISHER of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: JULY 28, AUG. 4, AUG. 11, and AUG. 18, 1971.

H. S. PRINCE, JR.

Sworn and subscribed to before me, This 13th day of AUGUST 1971.

R. W. BOTELEER, JR.
Notary Public.

Also:

By Messrs. Turnham, Adams and Brassell:

H. 2701. To authorize the county board of education of any county having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Also:

By Mr. McCluskey:

H. 2713. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
TALLADEGA COUNTY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

**TO ALTER, REARRANGE AND EXTEND THE CORPORATE
LIMITS OF THE CITY OF SYLACAUGA, TALLADEGA COUNTY,
ALABAMA.**

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The Northeast Quarter of the Southeast Quarter (NE¼ of SE¼) of Section 17, Township 21 S, Range 4 E, Talladega County, Alabama.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County Mrs. W. A. Moody, Jr., who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: June 24, July 1, July 8 and July 15, 1971.

MRS. W. A. MOODY, JR.

Subscribed and sworn to before me this 15th day of July 1971.

H. C. KRAMER, JR.,
Notary Public.

Also:

By Messrs. Crowe and Naramore:

H. 2714. Relating to counties having populations of not less than 55,500 nor more than 56,500; to authorize and prescribe the use of electronic voting systems in such counties; to authorize the county governing bodies to procure the necessary equipment for using said system.

Also:

By Messrs. Crowe and Naramore:

H. 2715. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

Also:

By Mr. Smith (P):

H. 2718. Applying to Talladega County; providing for the appointment of special judges in the County Court of Talladega County under certain circumstances; and providing for payment of said special judges.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL—

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applying to Talladega County; providing for the appointment of special judges in the County Court of Talladega County under certain circumstances; and providing for payment of said special judges.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only to Talladega County.

Section 2. If, in any case, matter, or proceeding arising in the County Court of Talladega County, Northern or Southern divisions, the presiding Judge is incompetent for any legal cause, or shall be absent, sick or otherwise disqualified from acting, he or the clerk of the said division in which said Judge presides must certify said fact to the Register or a Judge of the Circuit Court of the County; and such Register or Judge must, upon such certificate, appoint a disinterested person practicing in the County, learned in the law, to act as special Judge of said division of said Court. The Judge of the other division of said Court shall be qualified to be so appointed. The aforesaid certification and appointment shall be entered on the Court records of such matter or proceeding. Such special Judge shall hear, decide and render judgment in said cause or proceeding in the same manner and to the same effect as such disqualified Judge could have rendered but for such disqualification, including motions or matters arising after entry or judgment in said cause or proceeding. If such special judge shall at any point in said cause or proceeding fail, refuse, or become disqualified to act, another special judge may be appointed according to the procedure hereinbefore set out in this section.

Section 3. Such special judge shall be paid: (a) in civil cases as agreed upon by and apportioned between the parties, said agreement to be entered in writing in the Court records of said proceeding; (b) in criminal or juvenile cases by warrant drawn on the County treasury as prescribed by law in an amount to be certified by the Presiding Judge of the Circuit Court of Talladega County not to exceed \$25.00 dollars per case or \$100.00 dollars per day, whichever is applicable in the discretion of said Circuit Judge, and further provided the total amount drawn by such warrants shall not exceed \$900.00 for each division in any fiscal year.

Section 4. This act shall become effective immediately upon its approval and passage by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County Mrs. W. A. Moody, Jr., who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: July 29, Aug. 5, August 12 and August 19, 1971.

MRS. W. A. MOODY, JR.

Subscribed and sworn to before me this 19th day of August 1971.

H. C. KRAMER, JR.,
Notary Public.

Also:

By Mr. Smith (P):

H. 2719. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL—

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only in the twenty-ninth judicial circuit. In any case triable by a jury in the circuit courts of the twenty-ninth judicial circuit, the court may in its discretion order the selection of one or two alternate jurors for the trial of the case, but may order an alternate juror to take the place of a principal juror only when the principal juror is excused by the court in the exercise of its sound discretion, before the retirement of the jury to consider its verdict, by the reason of some mental or physical ailment in such principal juror, or his confrontation with some emergency rendering him unable to perform his duties satisfactorily.

Section 2. When only one alternate juror is to be selected, the parties shall be entitled to strike from a list containing the names of at least three competent jurors in addition to the minimum number specified by law, as the case may require, and shall be required to strike alternately, as provided by law, until thirteen names remain on the list; and thereupon, the court shall select by lot one name from such thirteen names, and the juror whose name is thus selected shall be the alternate juror. The remaining twelve shall be the principal jurors.

If the court orders the selection of two alternate jurors, the parties shall be entitled to strike from a list containing the names of at least six competent jurors in addition to the minimum number specified by law, as the case may require, and shall be required to strike alternately, as provided by law, until fourteen names remain on the list; and thereupon, the court shall select by lot two names from such fourteen names, the first one selected to be designated as alternate juror number one and the other as alternate juror number two. The remaining twelve shall be the principal jurors.

Section 3. If two alternate jurors are selected and both are able to perform the duties of a juror satisfactorily, the court shall order alternate juror number one to take the place of the first member of

the jury who is excused from further service. If two alternate jurors are selected, but only one of them is able to perform the duties of a juror satisfactorily, then such alternate shall be ordered to take the place of any member of the jury who is excused from further service. An alternate juror who is able to perform satisfactorily the duties of a juror may be ordered to take the place of a juror who himself was originally an alternate juror, under the same conditions as he might have been ordered to take the place of one of the twelve principal jurors.

Section 4. Alternate jurors shall obey all orders and admonitions of the court. If the principal jurors are ordered to be kept in the custody of an officer or officers during the trial, such alternate jurors shall also be kept in custody with the regular jurors. All alternate jurors shall be seated near the principal jurors with equal facilities for observing the proceedings in the trial, and shall attend the trial at all times in company with the principal jurors. If any alternate juror is ordered to become a member of the jury, he shall take the same oath as that administered to other jurors, and shall have the same functions, powers, duties, and privileges as regular members of the jury. Any alternate juror who has not been ordered to take a place on the jury prior to the retirement of the jury to consider a verdict shall be discharged.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County Mrs. W. A. Moody, Jr., who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: July 29, Aug. 5, August 12 and August 19, 1971.

MRS. W. A. MOODY, JR.

Subscribed and sworn to before me this 19th day of August 1971.

H. C. KRAMER, JR.,
Notary Public.

Also:

By Mr. Smith (P):

H. 2720. To regulate further the qualifications and election of members of the Talladega County Board of Education: Providing that such members shall reside outside the corporate limits of a city having a city board of education and shall be elected by the qualified electors of Talladega County who live outside the corporate limits of any such city and that the electors of any such city shall not have a right to vote for members of such board.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL—

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the qualifications and election of members of the Talladega County Board of Education: Providing that such members shall reside outside the corporate limits of a city having a city board of education and shall be elected by the qualified electors of Talladega County who live outside the corporate limits of any such city and that the electors of any such city shall not have a right to vote for members of such board.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the expiration of the term of any member of the Talladega County Board of Education his successor shall be elected by the qualified electors of Talladega County residing outside the corporate limits of any city which has a city board of education. After this Act becomes effective a resident of a city having a city board of education shall not be eligible for appointment or election to the Talladega County Board of Education. The electors of any city having a city board of education shall not have the right to vote in elections for members of the board of education of such county.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County Mrs. W. A. Moody, Jr., who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: July 29, Aug. 5, August 12 and August 19, 1971.

MRS. W. A. MOODY, JR.

Subscribed and sworn to before me this 19th day of August 1971.

H. C. KRAMER, JR.,
Notary Public.

Also:

By Messrs. Warren and Mims:

H. 2721. Relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five.

Be It Enacted by the Legislature of Alabama:

Section 1. The Conecuh County Board of Education may retire any teacher in its employment on or after such teacher attains the age of sixty-five. Any teacher retired under the provisions of this Act shall be entitled to any and all benefits which he would have accrued had he voluntarily retired at age sixty-five under any other law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me August 12, 1971.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Wise and Jackson:

H. 2723. Relating to the ownership of oil, gas, and other mineral rights in Covington County; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the ownership of oil, gas, and other mineral rights in Covington County; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to Covington County.

Section 2. All instruments creating separate or special interests respecting the ownership of, or the right to extract, mine, or remove oil, gas, or other minerals from land, whether such interests be real or personal property, shall be recorded in the county in which the land is located, or the same shall be inoperative and void as against purchasers, mortgagees, and judgment creditors without notice.

Section 3. In all grants, conveyances, and reservations of oil, gas, or mineral rights, whether the same is made by deed, lease, or other contract, if no provision is made as to when the oil, gas, or other minerals shall be extracted, mined, or removed, the owner or holder of such rights shall have ten years in which to make such extractions or removal. If the instrument specifies that the owner or holder of such rights shall have a reasonable time to extract, mine, or remove the oil, gas, or other minerals, ten years shall be deemed a reasonable time.

Section 4. The title to all oil, gas, or other minerals not extracted, mined, or removed from the land within ten years from the date of the deed, lease, or other instrument by which such rights were created, or at the expiration of the period agreed upon by the parties, shall revert to the owner of the land surface, unless it be otherwise provided in the deed, lease, or other instrument.

Section 5. Actual or constructive possession of the surface and the assessment and payment of taxes on land containing oil, gas, or other minerals, by the surface owner, or by those under whom he claims his title, constitutes such adverse possession of the minerals as will ripen into title when continued for five years, if such rights are not exercised and separately assessed for taxation and the taxes due thereon paid by the owner or holder thereof during such period, unless the surface owner himself, or his predecessor in title, is bound by the terms of a deed, lease, or other contract to pay taxes on the mineral interest.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of Sections 1, 2, and 3 of this Act shall be applicable only to deeds, leases, or other instruments executed after the effective date hereof.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

ED DANNELLY.

Sworn to and subscribed before me August 12, 1971.

LORA JONES,
Notary Public.

Also:

By Mr. Fite:

H. 2725. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Hackleburg, in Marion County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Hackleburg, in Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Hackleburg, in Marion County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said town all of the following additional described territory, to-wit:

West $\frac{1}{2}$ of East $\frac{1}{2}$ of Section 17

West $\frac{1}{2}$ of Southeast $\frac{1}{4}$ Section 8

Northeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ Section 8

East $\frac{1}{2}$ of Southwest $\frac{1}{4}$ Section 8

Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ Section 8

Less and Except the following:

Northeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ Section 8 lying Southeast of U. S. Highway 43

A four (4) acre square out of the southwest corner of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ Section 17, all in Township 9 South, Range 12 West, Marion County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect on its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Shirley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, August 5, August 12, and August 19, all in the year 1971.

ROBERT L. SHIRLEY.

Sworn to and subscribed before me Aug. 23, 1971.

MILDRED GREGG,
Notary Public.JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 547, 878, 2179, 2468, 2578, 2652, 2663, 2693, 2698, 2699, 2701, 2713, 2714, 2715, 2718, 2719, 2720, 2721, 2723 and 2725. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1543. To amend the title and Section 1 of Act No. 407, H. 1, approved August 19, 1969 (Acts of Alabama, 1969, Vol. 1, Page 798) entitled "An Act relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general funds of the county; and defining terms" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and to provide an effective date.

Also:

H. 1092. Relating to counties having populations of not less than 10,660 nor more than 10,900; to levy and provide for the collection

of an annual license or privilege tax on wholesale distributors or jobbers of malt or brewed beverages within such counties; and to prescribe penalties.

Also:

H. 1093. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to authorize the county commission or other like governing body, in such counties to make an annual appropriation out of the county public highway and traffic fund to the tax assessor, to the tax collector and to the probate judge for clerk hire allowances to be used for the compensating of clerks for duties relative to the assessment and collection of taxes on motor vehicles or the issuance of motor vehicle license tags.

Also:

H. 1300. To repeal Act No. 700, H. 972, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1525) entitled, "An Act to provide additional and alternate methods of annexation of certain territory to municipalities in counties in the State of Alabama having a population of not less than ninety-six thousand (96,000) nor more than one hundred six thousand (106,000) inhabitants according to the last or any subsequent Federal Census."

Also:

H. 1301. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; providing for payment of expense allowances of constables serving the county court in such counties.

Also:

H. 1302. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and compensation of such deputy constable.

Also:

H. 1303. To repeal Act No. 490, H. 1042, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 710) entitled, "An Act to amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

Also:

H. 1304. To repeal Act No. 633, H. 1041, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1155) entitled, "An Act relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county."

Also:

H. 1305. To repeal Act No. 701, H. 900, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1303) entitled, "An Act to amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, V. 1, p. 429) in relation to the compensation of the chairman and

members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000."

Also:

H. 1306. To repeal Act No. 713, H. 1215, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1318) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county."

Also:

H. 1307. To repeal Act No. 72, H. 209, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 95) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

Also:

H. 1308. To repeal Act No. 413, H. 421, approved, September 12, 1966, Special Session 1966 (Acts 1966, p. 559), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable."

Also:

H. 1309. To repeal Act No. 176, H. 255, approved August 23, 1966, Special Session 1966 (Acts 1966, p. 208), as last amended, entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; to regulate further the compensation and allowances payable from the county treasuries of all such counties to certain public officers and their deputies, to fix the amount of the total salaries of certain county officers and deputies of such counties; to fix the amount of the supplemental salary payable by these counties to certain public officers, who are paid in part from the State treasury; to provide temporary allowances to certain officers; to prescribe different times for the several provisions of this Act to become effective; and to prescribe when certain parts of this Act shall expire and be repealed."

Also:

H. 1310. To repeal Act No. 104, H. 200, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 444) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county."

Also:

H. 1311. To repeal Act No. 80, S. 7, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 412), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county."

Also:

H. 1312. To amend the title and Section 1 of Act No. 561, H. 396, Regular Session 1961 (Acts 1961, p. 660), which provides further for the operation of the county board of equalization, regulates the term of service, compensation, and expense allowance of the members of said board; further provides for office space, office fixtures, and supplies for said board, and for employment of a secretary-appraiser by said board and other employees of said board in certain counties classified on a population basis.

Also:

H. 1313. To amend the title and Section 1 of Act No. 161, H. 407, Regular Session 1961 (Acts 1961, p. 208), which authorizes the governing body to provide paper ballots and ballot boxes as well as voting machines at voting place where voting machines are used in certain elections, in certain counties classified on a population basis.

Also:

H. 1314. To amend the title and Section 1 of Act No. 165, H. 411, Regular Session 1961 (Acts 1961, p. 210), which relates to the issue and returns to executions in justice of the peace courts and other courts of like jurisdiction in certain counties classified on a population basis.

Also:

H. 1315. To amend the title and Section 1 of Act No. 195, H. 394, Regular Session 1961 (Acts 1961, p. 233), which provides an assistant coroner for certain counties classified on a population basis.

Also:

H. 1316. To amend the title and Section 1 of Act No. 186, H. 384, Regular Session 1961 (Acts 1961, p. 228), which provides for the furnishing of equipment, supplies, clerks, deputies, and other assistants for certain officials in certain counties classified on a population basis.

Also:

H. 1317. To amend the title and Section 1 of Act No. 187, H. 385, Regular Session 1961 (Acts 1961, p. 229), which authorizes the purchase by the county governing body of uniforms for the use of uniformed employees of the sheriff in certain counties classified on a population basis.

Also:

H. 1318. To amend the title and Section 1 of Act No. 189, H. 388, Regular Session 1961 (Acts 1961, p. 230), which provides for a chief clerk and assistant chief clerk in the circuit court and a chief clerk in the county court of certain counties classified on a population basis.

Also:

H. 1319. To amend the title and Section 2 of Act No. 202, H. 398, Regular Session 1961 (Acts 1961, p. 236), which relieves certain county officials of the duty of visiting voting places and precincts in the performance of their official duties in certain counties classified on a population basis.

Also:

H. 1320. To amend the title and Section 1 of Act No. 46, H. 260, Regular Session 1965 (Acts 1965, p. 64), which prohibits the taxation

and collection of certain fees and costs in misdemeanor cases for violations of the game and fish laws in the county courts of certain counties classified on a population basis.

Also:

H. 1321. To amend the title and Section 1 of Act No. 878, S. 594, Regular Session 1965 (Acts 1965, p. 1645), which provides further for the selection of textbooks and instructional materials in the public schools of certain counties classified on a population basis.

Also:

H. 1322. To amend the title and Sections 1 and 4 of Act No. 809, H. 1273, Regular Session 1965 (Acts 1965, p. 1511), which provides an administrative consultant to the circuit clerk and to prescribe qualifications, duties, compensation and terms thereof, in certain counties classified on a population basis.

Also:

H. 1323. To amend the title and Section 1 of Act No. 397, H. 922, Regular Session 1965 (Acts 1965, p. 574), which confers upon solicitors the power to take oaths in support of complaints and to issue warrants in all criminal and breach of peace cases in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1541. To apply to every city of this State having a population of 300,000 or more, according to the last or any subsequent federal census, and to each pension system established by any law of this State, heretofore or hereafter adopted, for either firemen or policemen of such city, providing such pension system has been, or shall have been, for a period of 25 consecutive years closed within the meaning of this Act; to provide that a firemen's pension system is a closed pension system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Fire Department of such city after a date specified in said law shall become, or be, a member of such firemen's pension system; to provide that a policemen's pension system is a closed system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Police Department of such city after a date specified in said law shall become, or be, a member of such policemen's pension system; to provide that any retirement benefit, disability benefit or widow's benefit or other benefit paid to a member of the system shall be called "a benefit" and that any per-

son receiving a benefit shall be called "the beneficiary"; to prescribe for any beneficiary, or beneficiaries, to enter into a contract, or contracts, with an attorney, or attorneys, whereby the beneficiary, or beneficiaries, employ the attorney, or attorneys, to perform legal services in endeavoring to secure an increase in benefits for the beneficiary or beneficiaries; to provide that any such contract of employment may contain a provision for the city to deduct the attorney's fee provided for in the contract of employment, from any increase in benefits sought by the attorney, or attorneys, and actually obtained for the beneficiary, or beneficiaries, which last mentioned provision is called in this Title, and in this Act, "The Deduction Provision"; to provide that when the contract of employment contains a deduction provision, the disbursing officer, for the pension system or the city, shall deduct from any increase in benefits the attorney's fee in accordance with the provisions of the deduction provision and shall pay such fee to the attorney entitled to the same, or to the attorney's appointee; to provide that any beneficiary of the pension system can enter into such contract of employment by and through an agent, provided such beneficiary has signed a written power of attorney authorizing such contract; to provide the terms and conditions on which the deduction of the attorney's fee shall be made; to provide that the city shall have the right to require, as a condition to deducting any such attorney's fee, that the attorney file an indemnifying bond, or deposit security, with the disbursing officer of the city or pension system, the disbursing officer and all beneficiaries against damage or loss arising from the illegal, improper or unauthorized deduction of an attorney's fee; to repeal all laws or parts of laws, whether general, special or local, in conflict with the provisions of this Act; and to provide when this Act shall become effective.

Also:

H. 1789. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

Also:

H. 1852. Relating to counties having populations of 600,000 or more; to require election officers to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

Also:

H. 1877. To authorize any Lieutenant in the Police Department of the City of Bessemer to issue warrants of arrest.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 727. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial of cause.

Also:

H. 220. To amend Act No. 1122, S. 408, Legislature of 1969, Regular session, (Acts of Alabama, 1969 and 1970, Vol. III, P. 2077) which makes an appropriation to the Agricultural Center Board for agricultural fairs by amending Sections 11 and 13 of said Act relating to payments of special merit awards and the per diem and travel allowance of the special awards committee for fairs.

Also:

H. 465. To authorize certain fiduciaries to convert, exchange or surrender any security as defined in this Act and to accept, receive and retain any other security as a result of any merger, reorganization, tender, exchange offer or other business transaction as enumerated in this Act; to provide that this Act shall apply to any security with respect to which this Act gives authority to a fiduciary no matter when the fiduciary relationship was established or when said security was acquired; to provide that the invalidity of any section, part or provision of this Act shall not affect the validity of the remaining portion of this Act; to repeal all laws or parts of laws in conflict with the provisions of this Act and to provide an effective date.

Also:

H. 700. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Also:

H. 701. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

Also:

H. 6. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

Also:

H. 27. To amend Section 460, Title 51, Code of Alabama, 1940, as amended, relating to annual license fees for attorneys.

Also:

H. 61. To prescribe the fee to be allowed the Department of Public Safety for the furnishing of copies of certain records and reports by the Director of Public Safety.

Also:

H. 181. To amend the title and Section 1 of Act No. 1125, S. 369, Regular Session 1969 (Acts 1969, p. 2084), which act authorizes and provides for appointment of police officers to maintain law and order at state colleges and universities, so as to authorize the employment of such officers at the Alabama Institute for Deaf and Blind.

Also:

H. 446. To amend Act No. 281 adopted at the 1969 Regular Session of the Legislature of Alabama relating to the promotion of safe transportation of pupils to and from schools and in school related activities; to directing the state board of education to prescribe certain rules and regulations designed to promote this purpose; to the provision of school transportation managers or supervisors; to prescribing certain equipment for school buses; to the provision for safety inspection of school buses; to the provision for special training and licensing of school bus drivers; and to the prescribing of penalties.

Also:

H. 349. To authorize and empower the Supreme Court of Alabama to adopt a new system of rules, and to make further changes therein, to govern procedure in appeals to the Supreme Court of Alabama, to the Court of Civil Appeals of Alabama, and to the Court of Criminal Appeals of Alabama for review or enforcement of judgments, orders, and decrees of other courts of the State of Alabama and of orders of administrative agencies, boards, commissions, and officers of the State of Alabama; and in applications for writs or other relief which the Supreme Court or either of said courts of appeals, or a judge of any of said three courts, is authorized to give; to repeal all legislation inconsistent with such rules from and after the effective date of such new system of rules when adopted by the Supreme Court of Alabama as authorized by this Act insofar as such legislation shall be in conflict with such new system of rules.

Also:

H. 630. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

Also:

H. 766. Further amending Code of Alabama 1940, Title 22, Sections 24, 25, 26 and 27; relating to Vital Statistics; providing for registration of the fact of death by the funeral director and for making and filing of a certificate of cause of death by the attending physician, or coroner in certain cases.

Also:

H. 793. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Also:

H. 856. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans prefer-

ence therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Also:

H. 863. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such fund; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

Also:

H. 1028. To validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of any such tax in the consolidated district resulting from such consolidation.

Also:

H. 1049. To rename the Department of Conservation; to rename the Division of Seafoods of the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

Also:

H. 1032. To allow prospective jurors in capital cases to be excused without the presence of the defendant in the Thirty-Fifth Judicial Circuit of Alabama.

Also:

H. 1377. To repeal Act No. 296, H. 506, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 413) entitled, "An Act Relating to counties having populations of not less than 17,400 nor more than 17,800; to provide clerical assistants for the office of the judge of probate of such counties, and to provide a clerk hire allowance for such county judges of probate, payable out of the general funds of the county."

Also:

H. 1378. To repeal Act No. 241, H. 441, approved, August 15, 1963, Regular Session 1963 (Acts of Alabama 1963, p. 652) entitled, "An Act To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800, according to the last or any subsequent federal decennial census."

Also:

H. 1379. To repeal Act No. 356, H. 897, approved, August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 494) entitled, "An Act To provide the tax assessors of counties having populations of not less than 17,400 nor more than 17,800 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county."

Also:

H. 1380. To repeal Act No. 295, H. 505, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 412) entitled, "An Act To provide an additional clerical allowance to the circuit clerk of all counties having populations of not less than 17,400 nor more than 17,800, such allowance to be payable out of the general funds of the county."

Also:

H. 794. To amend Act No. 405 of the Regular Session of the Legislature of Alabama of 1967, approved September 7, 1967, (Ala. Acts, 1967, p. 1021 et seq.) which levied in each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax upon persons engaged in the business of selling personal property or conducting places of amusement or entertainment, generally paralleling the State sales tax, and an excise tax on the storage, use or consumption in said county of tangible personal property purchased at retail, generally paralleling the State use tax.

Also:

H. 846. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks or registers in chancery who also serve as deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk or register in chancery who also serves as deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

Also:

H. 864. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

Also:

H. 1406. To propose an Amendment of Amendment CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1025. To amend Act No. 22 of the Second Special Session of 1956, approved March 23, 1956 (Ala. Acts, Special Sessions of 1956, Page 290 et seq.), relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama of 1943, approved June 28, 1943 (General Acts Alabama 1943, page 264) and the predecessors of said Act.

Also:

H. 1029. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; providing for the limited cancellation of sales agreements resulting from solicitation at the residence of the buyer, and providing procedures for and remedies of cancellation.

Also:

H. 1084. To amend Sections 1, 3, 6 and 7 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent federal census a pension and relief fund for officers and employees of the library board of such city, and for the widows and dependents of such officers and employees, to provide for a custodian of such fund, and to provide for the investment, protection, management and distribution of such fund by a board of managers created for such purpose."

Also:

H. 1086. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policeman's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241, et seq.), as heretofore amended.

Also:

H. 1087. To amend the Title and Section 1 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama of 1959, page 1376, et seq) which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief or Retirement and Relief System established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq) as amended, and on whose account or for whose benefit the city by whom they are employed makes no contribution or pays no tax to the United States of America under the Federal Social Security Act.

Also:

H. 1088. To amend Section 4 of Act No. 100 of the 1964 1st Special Session of the Legislature of Alabama (Acts of Alabama, 1st and 2nd Special Sessions 1964, page 157) entitled "An Act to apply in and only in each city in this state having a population of 300,000 or more, according to the last or any subsequent decennial federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates; to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest."

Also:

H. 1216. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Also:

H. 1261. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

Also:

H. 1390. To further amend Subsection (a) of Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and ever city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children: to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 1407. To authorize any fire district in Jefferson County, Alabama, created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.), hereinafter called "Fire District", and any municipality to enter into contracts providing for either party, or both parties, to any such contract to make its fire equipment, or facilities, and its services, in preventing or fighting fires, available to the other party; to authorize any district to enter into a contract with any person providing for the district to make its facilities, or equipment, and its services available to such person or such person's property; and to provide that in

executing or performing any contract provided for by this act the district shall be engaged in a governmental function, and that governmental immunity from liability shall apply.

Also:

H. 1079. To provide, subject to the conditions and qualifications stated in this Act, that the city board of education of every city of the State having a population of 300,000 or more, according to the last or any subsequent Federal census shall adopt a resolution providing for certain classes of employees of such board of education, particularly described in this Act, to participate in the State Employees' Retirement System of Alabama, established by Chapter 17, Title 55, Code of Alabama of 1940, as amended, subject to the approval of Board of Control, established by Section 461, Title 55, Code of Alabama of 1940; to provide that the said employees of said city board of education shall participate in the said State Employees' Retirement System, in accordance with said resolution, subject to the terms, conditions and provisions prescribed in this Act and in Section 467, Title 55, Code of Alabama of 1940, as heretofore or hereafter amended, except to the extent that this Act modifies said Section 467; and to provide that the said resolution shall not apply to any employees of the city board who prior to the date prescribed for the adoption of such resolution become entitled to participate in the Teachers' Retirement System established by Chapter 14, Title 52, Code of Alabama of 1940, as amended.

Also:

H. 971. To amend Act No. 96, H. 490 of the Regular Session of 1965, which establishes an inferior court in Jefferson County to be known as the Civil Court of Jefferson County (Acts Regular Session of 1965, p. 131), so as to provide further for the service of the summons and processes of the court by authorizing such service by any of the constables or his duly authorized deputy, of Jefferson County; and for such purpose amending Sections 17 and 21 of said Act.

Also:

H. 536. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Also:

H. 1019. To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession for sale or the sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative.

Also:

H. 1451. To amend the title and Sections 1 and 2 of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, which regulates the sale and consumption of alcoholic beverages in certain places in counties classified on a population basis, provides for a referendum of the voters in such counties to determine the wet-dry status of any other places in such county, and prescribes penalties for violations of the act in certain counties classified on a population basis.

Also:

H. 782. To amend Section 73, Title 29, Code of Alabama, 1940, prescribing the sites which are lawful for the establishment of liquor stores and other sites which are unlawful for the sale of alcoholic beverages, and providing further for any county having a population of five hundred thousand or more, and for any city having population more than twenty thousand and less than thirty thousand located in such county, all according to the last or any subsequent federal decennial census.

Also:

H. 1177. To regulate further the allowances, fees, deputies, equipment and maintenance of the sheriff's department of Elmore County, Alabama.

Also:

H. 1089. To authorize and make provision for the incorporation in any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such county within which any such Authority proposes to furnish any such service and the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the county by which its incorporation was authorized and by the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority expend funds for

the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Also:

H. 1262. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Also:

H. 783. To provide for the appointment and employment of law students to serve as Law Clerks for the Circuits Judges in counties of this State having a population of not less than 600,000 according to the last or any subsequent Federal census; to define eligibility for appointment; and to fix the salary of such Law Clerks;

Also:

H. 885. To provide for the institution and prosecution of misdemeanor cases for the County Court; to authorize and empower the Clerk of the Circuit Court of Bibb County, Alabama, Ex-Officio Clerk of the County Court of Bibb County, Alabama to take oath in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the County Court of Bibb County; to authorize and empower the said Clerk to receive a plea of guilty by the Defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law and to provide for the formal minute entry and/or judgment entry to be made by the Judge of the County Court on a subsequent date without the presence of the Defendant.

Also:

H. 1176. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

Also:

H. 1234. To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws.

Also:

H. 284. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera, and African Swine Fever.

Also:

H. 1233. To apply in counties having population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Also:

H. 305. Establishing, providing for appointment to and operation of Board of Radiologic Technologists Examiners; to provide for educational and training qualification standards for radiologic technologists; to provide for examination and licensing of and annulment or revocation of licenses of radiologic technologists; providing for the enforcement of this Act; providing for and prescribing penalties and fees.

Also:

H. 183. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1726. To repeal Act No. 665, H. 744, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1186), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county."

Also:

H. 1727. To amend the title and Section 1 of Act No. 141, H. 507, Regular Session 1969 (Acts 1969, p. 413), which provides for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in certain counties classified on a population basis.

Also:

H. 1728. To amend the title and Section 1 of Act No. 178, H. 509, Regular Session 1965 (Acts 1965, p. 249), which provides for the promotion of industry in certain counties classified on a population basis.

Also:

H. 1729. Relating to all counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, further regulating the compensation and allowances of the members of the board of revenue or courts of commissioners.

Also:

H. 1730. To repeal Act No. 171, H. 184, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 235), entitled, "An Act Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue."

Also:

H. 1798. Relating to all counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census; to fix the salary of the county solicitor and to prescribe the method of payment of such salary.

Also:

H. 1846. To amend Act No. 369, H. 781, Regular Session 1963 (Acts 1963, p. 868), providing expense allowances for members of the Lee County Commission so as to make further provisions respecting allowances for the members and chairman of such commission.

Also:

H. 1847. Relating to counties having a population not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; to provide for an increase in the bailiffs pay to \$10.00 per day in such counties.

Also:

H. 1901. Relating to all counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licenses of liquor in half-pint and miniature packages, the amount thereof dependent upon whether said sales occur within the police jurisdiction and outside the corporate limits of municipalities or outside the police jurisdiction of municipalities, no tax being imposed upon sales occurring within corporate limits; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales to be made, and providing penalties for violations of this Act.

Also:

H. 354. To regulate further the excusing of persons from jury service in the Eleventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 355. To allow prospective jurors to be excused without the presence of the defendant in the Eleventh Judicial Circuit of Alabama.

Also:

H. 356. To abolish the drawing of special venires in capital cases in the Eleventh Judicial Circuit of Alabama.

Also:

H. 357. Relating to criminal procedure in the Eleventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Also:

H. 358. To apply only in the circuit court of the Eleventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good excuse, the trial shall continue with and a verdict be rendered by the remaining jurors.

Also:

H. 1902. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a deputy coroner for said counties to be appointed by the coroner of said counties; the deputy coroner to reside in the Northern Judicial Division of said counties if the coroner resides in the Southern Judicial Division of said counties or the deputy coroner must reside in the Southern Judicial Division of said counties if the coroner resides in the Northern Judicial Division of said counties; the deputy coroner is to be paid \$100.00 for each month said deputy coroner serves and a mileage allowance of 10¢ per mile.

Also:

H. 1903. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a mileage allowance of 10¢ per mile for the coroner of such counties to which this Act applies.

Also:

H. 1904. To repeal Act No. 53, H. 247, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the sale of licenses, boat tags, transfers and replacements for the department of conservation in such counties, transferring certain duties of the probate judge to the commissioner of licenses; relieving the probate judge of such duties; and repealing conflicting Acts", and to provide an effective date.

Also:

H. 1905. To repeal Act No. 52, H. 246, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts", and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Mr. Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 99. MOURNING THE DEATH OF PETER E. XIDES OF MONTGOMERY, OWNER OF THE ELITE CAFE.

WHEREAS the untimely passing of Mr. Peter E. Xides on August 25, 1971, has brought sorrow to his family and to his many friends, not only in Montgomery, but throughout the State of Alabama and in other states as well; and

WHEREAS Mr. Peter Xides was eminently respected in the restaurant profession in his undaunted efforts in establishing his restaurant, the Elite, as one of the finest in the country; and

WHEREAS Mr. Xides was known throughout the south for his civic and charitable contributions and for his untiring work in the Greek Orthodox Church, of which he was the founder and served as president and board member for many years; now therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we deplore the loss of Mr. Peter E. Xides, whose death deprives the community and the state of one of its finest leaders, and that we extend our heartfelt sympathy to his family; and

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to Mr. Xides' wife and family.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. St. John, Crawford and Connell:

H. 1068. To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof: fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1068. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grey (D):

H. 2726. To repeal Act No. 42, H. 99, Approved September 23, 1965, Second Special Session 1965 (Acts 1965, p. 58), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds."

Also:

By Mr. Grey (D):

H. 2727. To repeal Act No. 58, H. 60, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 383), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds."

Also:

By Mr. Grey (D):

H. 2728. To repeal Act No. 59, H. 61, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 384), entitled, "An Act To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Also:

By Mr. Grey (D):

H. 2729. To repeal Act No. 57, H. 59, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 382), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors."

Also:

By Mr. Grey (D):

H. 2730. To authorize the county boards of education in all counties having populations of not less than 14,000 nor more than 15,000 according to the last or any subsequent federal decennial census, to furnish certain supplies and services heretofore furnished by the county

commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

Also:

By Mr. Grey (D):

H. 2731. To repeal Act No. 1247, H. 1562, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2348), entitled, "An Act Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county."

Also:

By Mr. Grey (D):

H. 2732. To amend the title and Section 1 and repeal Section 3 of Act No. 710, H. 1186, Regular Session 1965 (Acts 1965, p. 1313) which regulates further the duties and compensation of members of the county commission or like governing body in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2733. To amend the title and Sections 1 & 2 of Act No. 705, H. 988, Regular Session 1967 (Acts 1967, p. 1536) which prescribes the salary and manner of payment of certain deputies sheriff in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2734. To amend the title and Section 1 of Act No. 706, H. 989, Regular Session 1967 (Acts 1967, p. 1537) which regulates the compensation of the county superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2735. To amend the title and Section 1 of Act No. 158, H. 179, Special Session 1969 (Acts 1969, p. 225) which provides an additional allowance for travel for members of the board of equalization in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2736. To repeal Act No. 21, H. 98, approved September 21, 1965, 2nd Special Session 1965 (Acts 1965, p. 35), entitled, "An Act To regulate expense allowances for the superintendent of education in counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

By Mr. Grey (D):

H. 2737. To amend the title and Section 1 of Act No. 98, H. 106, Special Session 1966 (Acts 1966, p. 132) which regulates the expense

allowances for the superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2738. To repeal Act No. 219, H. 821, approved August 6, 1965, Regular Session 1965 (Acts 1965, p. 305), entitled, "An Act To amend Section 1 of Act No. 106, H. 98, First Special Session 1964 (Acts 1964, p. 167), an act relating to counties having populations of not less than 13,700 nor more than 14,300."

Also:

By Mr. Grey (D):

H. 2739. To repeal Act No. 141, H. 159, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 192), entitled, "An Act To fix the salary of the county superintendent of education in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Also:

By Mr. Grey (D):

H. 2740. To amend the title and Section 1 and to repeal Section 3 of Act No. 1093, S. 908, Regular Session 1969 (Acts 1969, p. 2027) which provides for the election and qualifications of members of the county commission, or other like governing body in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2741. To repeal Act No. 106, H. 98, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 167), entitled, "An Act To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Also:

By Mr. Smith (P):

H. 2266. Applying to Talladega County, regulating the sale of alcoholic beverages in such county; prohibiting the sale of alcoholic beverages in certain places in such county; prohibiting consumption of alcoholic beverages in certain places in such county; permitting the sale of alcoholic beverages in certain places in such county; levying a privilege or license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; providing certain rules and regulations for the enforcement and collection of the license tax levied under this Act; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax levied under this Act; prescribing penalties for violation of this Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages in such county if a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applying to Talladega County; regulating the sale of alcoholic beverages in such county; prohibiting the sale of alcoholic beverages in certain places in such county; prohibiting consumption of alcoholic beverages in certain places in such county; permitting the sale of alcoholic beverages in certain places in such county; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; providing certain rules and regulations for the enforcement and collection of the license tax levied under this Act; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of this Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages in such county if a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act applies to Talladega County only.

Section 2. When used in this Act: (a) The term "person" means and includes every natural person, firm, corporation, club, partnership, company, trustee, agency, or association, or any agent, servant, employee or officer thereof, singular or plural. (b) The term "distributor" and the term "seller" each shall mean and include any person, as the word "person" is herein defined, who is engaged in the business of selling, distributing, delivering, storing, or taking out of storage, malt or brewed beverages, as the words "malt or brewed beverages" are herein defined, within the county; provided, however, the term "distributor" and "seller" shall not mean and include the Alabama Alcoholic Beverage Control Board, nor the members, officers, or employees thereof while engaged in the performance of their duties under the Alabama Beverage Control Act, nor any liquor store or warehouse established, operated and maintained by the said Alabama Alcoholic Beverage Control Board under said Act. (c) The term "malt or brewed beverages" means and includes any beer, lager beer, ale, porter, near beer, or similar fermented malt liquor; provided, however, said term shall not include root beer. (d) The terms "club" and "private club" means clubs as defined by Section 1. (f), Title 29, Code of Alabama 1940, as amended; provided, however, that no club shall be licensed in such county unless it is a bona fide private non-profit organization incorporated under the provisions of the Alabama Non-Profit Corporation Act of 1955 or under the provisions of Article 5, Title 10, Code of Alabama, 1940.

Section 3. It shall be unlawful for any person, firm, or corporation to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in any county in which this Act applies except within the corporate limits and police jurisdiction of incorporated municipalities in said counties having a population of not less than 600 inhabitants accord-

ing to the last or any subsequent federal decennial census; except in private clubs, and such private clubs may be located outside the police jurisdiction of municipalities.

Section 4. The provisions of Code of Alabama 1940, Title 29, section 73 shall not apply in such county; provided, however, that no license for the sale of alcoholic beverages shall be issued for any establishment located within one hundred yards of the campus of any eleemosynary institution in such county.

Section 5. It shall be unlawful for any spirituous or vinous liquors to be sold in such county other than in a State Liquor Store or licensed private club;

Section 6. It shall be unlawful for any malt or brewed beverages to be sold in such county for consumption on the premises where sold except in licensed private clubs.

Section 7. (a) The tax levied by this act shall be in addition to all other taxes and licenses now imposed by law. Every distributor or seller of malt or brewed beverages shall in addition to all other taxes and licenses now imposed by law, pay a license tax to the county, and a license tax is hereby fixed and created which shall be a sum equal to three cents on each container of 12 ounces or less, and one quarter of a cent on each additional ounce over 12 ounces per container of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within the county; provided, however, that where the additional license tax hereby required to be paid shall have been paid by a distributor or seller of malt or brewed beverages, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on the same identical beverage; provided further, however, that any distributor or seller, in order to be exempt under this provisions shall first comply with the provisions of subsection (d) of this section. (b) The tax herein levied shall be paid through the use of stamps provided, furnished, and affixed in the manner hereinafter prescribed. Stamps in denominations to the amount of the tax shall be affixed to each individual bottle, can, or other container in which the malt or brewed beverages taxed by this Act are customarily sold at retail. All malt or brewed beverages as herein enumerated when offered for sale, either at wholesale or retail, in such county, without having stamps affixed as hereinabove set out and cancelled as hereinafter prescribed shall be subject to confiscation in the manner prescribed in Section 8 of this Act. Every distributor or seller of malt or brewed beverages in the county shall, as rapidly as may be practical, after receipt of any malt or brewed beverages not bearing the county malt or brewed beverage tax stamps as hereinafter required, cause the same to have the requisite denomination and amount of stamp or stamps to represent this tax affixed and cancelled by writing or stamping across the face of each stamp the number of the permit issued by the probate judge to such distributor or seller. Provided that any wholesale dealer or jobber who sells malt or brewed beverages for resale or reshipment into a county not subject to the provisions of this Act, if he furnishes a sufficient surety bond in a manner and of tenor and solvency satisfactory to the probate judge, and if he further meets such rules and regulations as may be provided by the probate judge for identifying and isolating stock kept for such purposes, may set aside that part of his stock which is kept and will be used for the purpose of resale or reshipment into a county not subject to the provisions of this Act, without affixing the stamps required hereby. (c) The probate judge is hereby authorized and directed to have prepared, at the expense of the county, and to sell, stamps suitable for denoting the tax due hereunder on all malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within the

county. It shall be unlawful for any person other than the probate judge, or his duly authorized agent, to sell any official malt or brewed beverage tax stamps prescribed and prepared under this Act, not affixed to a bottle, can or other container of malt or brewed beverages. When wholesale distributors or sellers of malt or brewed beverages who have qualified as such with the probate judge pursuant to subsection e of Section 9 of this Act purchase stamps for use on malt or brewed beverages taxable under this Act, the probate judge shall allow on such sales of malt or brewed beverage tax stamps a discount of five per cent on the entire amount of the sale. Every distributor or seller purchasing stamps shall make a full and complete accounting to the probate judge of the county on or before the fifteenth day of each month for all stamps used on taxable malt or brewed beverages during the preceding month. The accounting shall be on forms prescribed by the probate judge and shall contain a written statement, sworn to and subscribed by such distributor or seller, showing; the name and address of such distributor or seller; each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured; and a detailed, itemized statement showing the name and address of each and every distributor, or seller, or other person to whom any malt or brewed beverages are sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages, sold, distributed, or delivered to each, the size and kind of containers of each brand of such malt or brewed beverages, and the date or dates on which sold, distributed or delivered. Every wholesale distributor or seller of malt or brewed beverages in such county refusing or failing to comply with any provision of this subsection shall be guilty of a misdemeanor; and each day such default continues shall constitute a separate offense. He shall forfeit the commission or discount on stamps used which he failed to refused to account for within the prescribed time, and for such delinquency there shall be added to his license tax a penalty of twenty percentum of the amount thereof, which penalty shall be paid to the license inspector. This penalty shall be in addition to the penalty prescribed in Section 18 of this Act. (d) Any distributor or seller of malt or brewed beverages, selling, distributing, delivering, storing, or taking out of storage malt or brewed beverages purchased from any other distributor or seller of malt or brewed beverages who has paid the license tax levied thereon in subsection (a) of this section shall not be required to pay such license; and tax stamps affixed to the individual bottle, can, or other container in which the malt or brewed beverages are bought, in the manner prescribed above, and duly cancelled, shall be prima facie evidence that such tax has been paid. However, in order to obtain such exemption such distributor or seller claiming such exemption must, on or before the fifteenth day of each and every calendar month, file with the probate judge of the county, a written statement, sworn to and subscribed by such distributor or seller, claiming exemption, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, and the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured, and the disposition thereof by

such distributor or seller claiming the exemption. Such statement shall be made in form prescribed by the probate judge.

Section 8. It shall be unlawful for any distributor, or seller, or any person having no place of business within the county to make any sale, distribution, or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the probate judge of the county; and such upqjkm distributor, or seller shall be liable

Section 8. It shall be unlawful for any distributor, or seller, or any person having no place of business within the county to make any sale, distribution, or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the probate judge of the county; and such person, distributor, or seller shall be liable for and subject to the license tax fixed and specified in Section 7 of this Act; provided, however, that nothing contained in this section or in any other part of this Act shall authorize any sale, distribution, or delivery of malt or brewed beverages within the county if such sale, distribution, or delivery is prohibited by any other laws of this state. It shall also be unlawful for any person to possess or have in his possession within the county any malt or brewed beverages which do not have affixed thereto county tax stamps as required in this Act. The probate judge, license inspector, sheriff or any other law enforcement officer of the county, any police officer of any incorporated municipality therein and any law enforcement officer of the State of Alabama is hereby authorized to seize for confiscation, as authorized herein, any malt or brewed beverages hereby taxed upon which the tax levied herein has not been paid or tax stamps thereto affixed and cancelled; and the absence of cancelled malt or brewed beverage tax stamps of the county on any bottle, can, or other individual container in which the beverages are customarily sold at retail shall be prima facie evidence that such tax has not been paid. Provided, however, this provision shall apply to malt or brewed beverages in the possession of wholesale dealers or jobbers kept for the purpose of resale or re-shipment into a county not subject to the provisions of this Act only if such person fails to meet the provisions of Section 7 of this Act with regard to beverages kept for such purposes. After such seizure, the probate judge, license inspector, sheriff, or solicitor shall commence condemnation proceedings by filing a bill to equity in the circuit court of such county praying that such malt or brewed beverages be forfeited and sold. Any person, firm, corporation or association of persons in whose possession said malt or brewed beverages have been found or who shall claim to own the same, or any interest therein, shall be made a party defendant to said bill, and thereupon such matter shall proceed and be determined in equity in such circuit court. After the malt or brewed beverages are condemned and forfeited as being in violation of the provisions of this Act, the court shall direct in its decree that said malt or brewed beverages shall be delivered to the probate judge of such county to be sold by said probate judge at public outcry to the highest bidder for cash, after three days' notice of such sale by posting a notice on any bulletin board located within the court house of the county. The probate judge shall distribute in the same manner as other moneys are distributed by him as provided in this Act. From any decree or judgment of the circuit court, in equity, condemning any such malt or brewed beverages any party or parties aggrieved thereby may appeal to the court of appeals of Alabama within fifteen days from the time of such decree or judgment upon giving security for the costs of such appeal. And from any judgment or decree of the circuit court, in equity, denying the condemnation and seizure of any such malt or brewed beverages, the probate judge of such county may likewise appeal within fifteen days without the giving

of any bond. When any person, firm, corporation or association, or the probate judge appeals, the malt or brewed beverages involved shall remain in the custody of the probate judge until a final determination of the cause or appeal. Upon any decree of condemnation and seizure, the court shall direct that the costs of the proceedings be paid by the person in whose possession said malt or brewed beverages were found, or by any person or party who claims to own the same, or any interest therein, and who contests its condemnation and seizure.

Section 9. It shall be unlawful and shall constitute a misdemeanor for any distributor or seller to engage or to continue in business as such distributor or seller at any time when he is in default in the payment of the license tax required to be paid by this act; and each day during which a distributor or seller, then in default of said license tax, shall engage in such business shall constitute a separate offense.

Section 10. None of the provisions of this act shall apply to acts or transactions which constitute interstate commerce, nor shall any provision hereof apply to United States or other government business.

Section 11. It shall be unlawful for any person to act as agent, servant or employee for any distributor or seller who is delinquent in the payment of the license tax required by this act to be paid, in engaging in or assisting in carrying on the business for which the distributor or seller is required to pay such license tax, and each day such agent, servant or employee shall engage in or assist in carrying on such business shall constitute a separate offense.

Section 12. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and of all other matters from which the correct amount of license tax to which such person is subject may be ascertained; and in the event that such person shall discontinue his business, he shall not destroy or dispose of such records until he shall have given the probate judge of the county thirty days notice in writing of his intent to destroy or dispose of such records. The failure of such person to keep such records, or his destruction or disposition of such records without giving such notice, shall constitute a misdemeanor. (b) Upon demand by the probate judge or his authorized deputy, auditor, or representative, it shall be the duty of any such person subject to the license tax imposed by this act to furnish such demanding person, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination, during reasonable hours, at such person's place of business within the county, all books of accounts, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined including exhibition of bank deposit books and bank statements; and any person failing or refusing to submit such records for such inspection and examination upon such demand, shall be guilty of a misdemeanor. (c) If any person subject to the provisions of this act does not have in such person's control or possession, within the county, true and intelligible books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for determination of the correct amount of the license tax due, or if, having in such person's possession or under such person's control such books, invoices, papers, reports or memoranda, such person shall fail or refuse to submit and exhibit the same for inspection and examination as herein required, then, in either event, it shall be the duty of the probate judge of the county to ascertain, from such information and data as he may

reasonably obtain, the correct amount of license tax due from such person immediate payment of the amount of such license tax. If the amount of the license tax so ascertained and demanded is not paid within 10 days after receipt of notice of the assessment and demand for payment thereof, then, so long as said amount remains unpaid it shall be unlawful, and shall constitute a misdemeanor, for the person to engage in business as a distributor or seller, and each day's engagement in such business shall constitute a separate offense. (d) All records and reports filed in the Probate Office under this act shall be public records, open to inspection by any person during all Probate Office hours. (e) Thirty days after the effective date of this act, every person before engaging in the business of a wholesale distributor of malt or brewed beverages in such county shall file with the probate judge a bond in the approximate sum of twice the average monthly tax estimated by the probate judge which will be due by the applicant. The bond shall be in such form and amount as may be approved by the probate judge, shall be executed by a surety company licensed and duly authorized to do business in Alabama, shall be payable to the county, and be conditioned upon the prompt filing of true reports, and the payment by the applicant to the probate judge of the license tax herein fixed, provided, and levied on the sale, distribution or withdrawal from storage of malt or brewed beverages on which a tax is herein imposed, together with all penalties and interest thereon, and generally upon faithful compliance with the provisions of this act. After such date, it shall be unlawful and constitute a misdemeanor for any person to engage in the business of a wholesale distributor of malt or brewed beverages in such county without first having filed the bond and secured the permit as required herein. (f) In the event the liability upon any bond filed under the provisions of this act shall be discharged or reduced, whether by judgment rendered, payment made, or otherwise, or if in the opinion of the probate judge any surety on the bond, therefore given which becomes unsatisfactory or unacceptable, then the probate judge may require the filing of a new or additional bond conditioned as hereinabove provided and in the event of the failure of any distributor, within ten days of written notice to it by the probate judge, to file such new or additional bond, the probate judge shall revoke the permit issued to such person. (g) If upon a hearing had before the probate judge after five days written notice to any distributor, the probate judge shall decide that the amount of any existing bond filed by any distributor is insufficient, the probate judge may order such distributor to file, within ten days after written notice by the probate judge to such distributor, a new or additional bond in such amount as the probate judge upon said hearing may find reasonably necessary to insure payment of all amounts due or to become due the county, conditioned as hereinabove provided, and if such new or additional bond is not filed within ten days after such notice from the probate judge, the probate judge may revoke the permit already issued to such distributor. (h) The probate judge may reduce the amount of any bond upon written application of any distributor if satisfied that a bond in a reduced amount will insure payment of all amounts due, or to become due under this act, to the county, but in no event shall he reduce such bond to any amount less than double the amount of the tax liability of the principal for the preceding month. (i) Any surety on any bond furnished by an distributor, as above provided, shall be released and discharged from any and all liability to the county accruing on such bond after the expiration of sixty days from the date upon which surety shall have filed with the probate judge written request to be released and discharged, provided, however, that such request shall not operate to relieve, release or discharge such surety from any liability already accrued, or which shall accrue before the expiration of said sixty day period. The probate judge shall promptly upon receipt of notice of such request notify the distributor who fur-

nished such bond of the request of the surety on said bond, and unless such distributor shall, on or before the expiration of such sixty day period, file with the probate judge a new bond in the amount and form hereinbefore in this section provided, the probate judge shall forthwith cancel the permit of said distributor.

Section 13. It shall be unlawful for any person to knowingly or willfully make or exhibit any false written affidavit, certificate or statement as to the amount of stock on hand or volume of gross receipts, revenues or business done, or as to any other fact, and to file such affidavit or statement with or exhibit the same to the probate judge, or any employee of the county for the purpose of defrauding the county by avoiding the payment of the license tax required to be paid by this act.

Section 14. (a) In addition to all other taxes and licenses now imposed by law and under this act, there is hereby levied a license tax of ten cents. (\$.10) on each miniature and twenty-five cents (\$.25) on each half pint of spirituous liquor sold or distributed by private clubs licensed within the county. (b) In addition to all other taxes and licenses now imposed by law and under this act, there is hereby levied a privilege or license tax on all persons, firms, and corporations, selling, distributing, or delivering to retailers within counties governed by this act any malt or brewed beverages (including beer, lager beers, ale, porter, or similar fermented malt liquors containing one-half of one percent or more of alcohol by volume) an additional two cents (\$.02) on each container of twelve (12) fluid ounces or less and one-sixth of a cent on each additional ounce over 12 ounces per container sold or distributed to private clubs within the county. (c) The provisions of this act as to the use of crowns, stamps, or decals to evidence payment of the three cents (\$.03) tax levied under Section 7 hereof shall not apply to the additional taxes provided for in this Section 14; however, the additional taxes provided for in this Section 14 may be collected by the probate judge in such manner as he deems necessary and advisable, included but not limited to, the placing of stamps, crowns, or decals to evidence payment of the tax as provided herein. The proceeds of the taxes provided for under this Section 14 shall be paid into the county general fund.

Section 15. The tax provided for in Section 7 of this act shall be paid to the probate judge of the county who shall distribute two thirds of the net proceeds from such license tax after deducting all costs of collection to the county board of education. The county board of education shall divide the funds with the city boards of education within the county pro rata in the same manner as the public school funds from the State are apportioned in said county under the Minimum Program Fund Law. The probate judge shall distribute all the remaining portion of such license tax to the general fund of the county. All other license taxes levied by this act shall be distributed to the general fund of the county. Expenses of collecting all taxes under this act and of otherwise administering the act shall be paid out of the county general fund in the method provided for by law.

Section 16. The probate judge of the county shall provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license taxes authorized by this act. Each municipality within the county shall provide aid and assistance in collecting the taxes herein provided for within its territory. The probate judge may employ a person or persons to act as inspectors and otherwise to assist in the enforcement of the provisions of this act. The salary and expenses of such inspectors shall be paid out of the county general fund in such manner as is provided by law. Such inspectors shall have the same powers relative to enforcement of the taxes hereby levied that law enforcement officers employed by the Alabama Alcoholic

Beverage Control Board have relative to enforcing the state tax on spirituous liquors and on malt and brewed beverages. Any municipality in the county may also employ a special alcoholic beverage law enforcement officer for such municipality whose chief duty shall be the enforcement of this act. It shall also be the duty of agents of the Alabama Alcoholic Beverage Control Board and of the sheriff of the county and his deputies to enforce the provisions of this act.

Section 17. (a) In addition to all other records and reports required under this act, each wholesale distributor shall, by the 15th day of each month, file a report with the probate judge showing his inventory of beer on the 1st day of the preceding month, by brand and type of container, his inventory of beer on the last day of the preceding month, an accounting for all beer broken or damaged during the preceding month, proof of state authorization for transfers to other wholesale distributors, a record of all beer in transit to such distributor from breweries, and an inventory of all beer tax stamps in its possession on the 1st day and the last day of the preceding month. (b) In addition to all other records and reports required under this act, each private club shall file with the probate judge on or before the 15th day of each month detailed inventory of all alcoholic beverages on hand on the 1st day and the last day of the preceding month, and a record of all purchases of alcoholic beverages made by it during the preceding month. (c) In addition to all other reports and records required under this act, each retail beer seller shall file with the probate judge on or before the 15th day of each month a detailed inventory of all beer on hand on the 1st day and the last day of the preceding month. (d) The license of any wholesale distributor, private club, or retail seller failing or refusing to file the reports provided for in this Section 17 shall be suspended forthwith by the probate judge pending receipt of such report.

Section 18. Any person violating any of the provisions of this act, shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) and may also be sentenced to hard labor for the county for not exceeding six months, either or both. It shall be the duty of the probate judge to receive the license tax herein levied and to make distribution as herein provided. It shall be the duty of the probate judge to enforce the provisions of this act and to check the books, records, etc. of any such person subject to the license tax imposed by this act, and the probate judge shall furnish the necessary report forms, for persons subject to the license tax imposed by this act, on which to make monthly reports to the probate judge, the expense of furnishing said forms to be paid for out of the general treasury of the county.

Section 19. This act shall not be construed as authorizing or legalizing the sale and distribution of alcoholic beverages in such county if a majority of the qualified electors of the county, voting at a referendum held under the provisions of Section 68, Title 29, Code of Alabama 1940, have voted that the county shall be a dry county.

Section 20. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 3, all in the year 1971.

LENA ROBINSON.

Sworn to and subscribed before me 3rd day of August, 1971.

ZELL D. COPELAND,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741 and 2266. To the Committee on Local Legislation No. 1.

FURTHER CONSIDERATION OF S. B. 917

The Senate proceeded to further consideration of the Bill, S. B. 917. The question was on the motion of Mr. Harris that the Senate reconsider the vote by which the Bill, S. B. 917, was passed.

Mr. Lybrand moved that further consideration of the motion to reconsider be postponed until the Thirty-fourth Legislative Day.

RECESS

At 5:35 P. M., on motion of Mr. Carr, the Senate took a recess until 6:30 tonight.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grey (D):

H. 2742. To amend the title and Section 1 of Act No. 129, H. 97, Special Session 1964 (Acts 1964, p. 184) which regulates the closing of offices in the courthouse in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2743. To amend the title and Section 1 of Act No. 34, H. 102, 3rd Special Session 1965 (Acts 1965, p. 245) which authorizes the county

governing bodies to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2744. To amend the title and Section 1 of Act No. 97, H. 105, Special Session 1966 (Acts 1966, p. 132) which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2745. To amend the title and Section 1 of Act No. 131, H. 58, Regular Session 1967 (Acts 1967, p. 469) which fixes the compensation of the coroner in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2746. To amend the title and Section 1 of Act No. 153, H. 642, Regular Session 1969 (Acts 1969, p. 429) which increases the salary of the deputy solicitor in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2747. To repeal Act No. 507, H. 931, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 605), entitled, "An Act To fix the compensation of the county superintendent of education in all counties having a population of not more than 14,350 nor less than 13,650, according to the 1960 or any subsequent federal decennial census."

Also:

By Mr. Grey (D):

H. 2748. To amend the title and Section 1 and to repeal Section 2 of Act No. 52, H. 116, Special Session 1962 (Acts 1962, p. 70) which provides an additional deputy sheriff whose compensation shall be payable from the county highway and traffic fund in certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 2749. To amend the title and Section 1 of Act No. 950, H. 1373, Regular Session 1969 (Acts 1969, p. 1683) which fixes the compensation of the chairman and each member of the board of equalization and repeals conflicting laws in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 2750. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law,

to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish a court with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Calhoun County a court with limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the County Court of Calhoun County. This court shall replace the Intermediate Civil Court of Calhoun County which was established by Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29), which court is hereby abolished. The court hereby established shall have concurrent jurisdiction with the Calhoun County Court which was established by Act No. 106, S. 295, Regular Session 1951, (Acts 1951, p. 327). The County Court of Calhoun County shall be held in a place furnished and designated by the Calhoun County Commission.

Section 2. All cases and actions pending in the Intermediate Civil Court of Calhoun County and in the Calhoun County Court on the effective date of this Act shall be transferred to the court hereby created, and shall proceed as though begun therein. As to judgments rendered by the abolished court, the County Court of Calhoun County shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (A) Except as provided in subsection (B), of this section, the County Court of Calhoun County shall have and exercise jurisdiction of all actions, causes, matters, proceedings, and cases, including actions of unlawful detainer and actions for recovery of possession of land which are cognizable before the circuit-court, county court, or justice of the peace courts, or courts created in lieu thereof,

and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(B) This court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil actions when the matter or sum in controversy exceeds One Thousand Dollars (\$1,000.00) and it shall not have power to try any matter or proceeding in equity.

Section 4. The court shall not draw, organize, or empanel grand or petite juries. The judge of said court shall decide all issues of fact without the intervention of a jury.

Section 5. (A) The County Court of Calhoun County shall have two divisions, namely, law and criminal. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the Circuit Courts. Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a nonsuit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(B) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days. If a defendant fails to appear, plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 6. (A) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the clerk of the court, or the deputy clerk of the court or the district attorney or assistant district attorney or county solicitor, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, misplaced, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(B) A county or assistant district attorney for Calhoun County shall prosecute for the State all criminal cases commenced in such court.

Section 7. (A) The County Court of Calhoun County shall be open at all times for the transaction of business. Sessions of the court shall be held at such times as the judge shall designate. At least one

civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(B) The Sheriff shall, without additional compensation attend the sessions of the court in person or by deputy.

(C) The constable of precinct 15 of Calhoun County and the Sheriff of Calhoun County and any bailiff which may be provided the court shall be ex-officio officers of said court and may execute all processes from said court and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to process issuing from the courts of justices of the peace in said county, but the fees of the sheriff shall be covered into the county treasury. On all processes served by the court bailiff, the same fees provided by law for the constable shall be paid said bailiff. All processes in cases may be delivered by the clerk to the sheriff or to the said constable or court bailiff under such rules of the court as the judge may prescribe.

(D) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 8. (A) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law and for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(B) In addition to the fees for witnesses, the courts shall have authority to tax costs for the uses of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (4) in every other criminal case, the same as in county courts. The court shall tax other costs as prescribed by law (both general and local acts).

(C) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100). In every other civil action at law and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(D) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Calhoun County, Alabama, one-half (50 per cent) of all other fines and forfeitures collected in this court are to be paid into the general fund of Calhoun County, Alabama.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940) except that if the judgment of the court is for fifty dollars (\$50) or less the party in whose favor the judgment is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if the judgment is for more than fifty dollars (\$50), the lien of such judgment when registered under the provisions hereof shall con-

tinue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6, of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 11. (A) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1974 and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

(B) Immediately after the effective date of this Act, the Governor shall comission Hon. William C. Daniel as Judge of the County Court of Calhoun County and the said William C. Daniel shall hold office until his successor is elected or appointed as provided herein.

(C) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election a qualified elector of Calhoun County, learned in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(D) The judge shall receive an annual salary of sixteen thousand five hundred dollars (\$16,500.00), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(E) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, go warrant, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgements (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(F) The judge shall keep an office at such place as may be provided by the governing body of the county. His office shall be suitably equiped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, blanks, docket books, type-

writers, telephones, office equipment, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(G) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars (\$50) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. The clerk of the County Court of Calhoun County shall be appointed by and hold office at the pleasure of the judge of said court. He shall receive a salary to be determined by the Calhoun County Commission, but which shall not be less than seven thousand two hundred dollars (\$7,200.00) per annum, payable in equal monthly installments out of the county treasury. The Calhoun County Commission or like governing body is authorized and empowered to employ such assistant clerks as may be deemed necessary to properly handle the clerical work of the court at salaries to be determined by the said county commission and paid monthly by them out of the county treasury. The clerk of the said court shall have the direction and supervision of said assistant clerks and shall appoint one of them as his chief clerk. The chief clerk shall be authorized to do in the name of the clerk of the County Court of Calhoun County any act the said clerk is authorized to do. Said clerk shall give bond as the county commission shall require.

Section 13. The judge of the court shall have the power and the authority to appoint a bailiff to serve such court. Each bailiff so appointed shall receive a salary in such amount as is fixed therefor by the judge but not to exceed six hundred dollars (\$600.00) per month. Such salary shall be payable in equal installments out of the treasury of the county upon the warrant of the president or chairman of the county commission or other like county governing body. Each bailiff so appointed shall hold office at the will and pleasure of the judge so appointing him, and shall have the authority to do and perform all the duties of the court which the law authorizes any constable in Calhoun County to do.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws in conflict herewith are hereby repealed and Act No. 23, H. 8 of the Special Session of 1962 (Acts 1962, p. 29) is specifically repealed.

Section 16. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a

week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 7, August 9, August 16, and August 23, all in the year 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me August 23, 1971.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Stewart, Burgess and Merrill:

H. 2751. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

Beginning at the intersection of the Old Anniston-Jacksonville Highway and Parker Boulevard; thence West along the North Side of said Parker Boulevard for a distance of 500 feet; thence North 500 feet to a point; thence in an Easterly direction to the old Jacksonville-Anniston Highway; thence in a Southwesterly direction along the East Side of said Highway to the point of beginning; said property lying adjacent to the corporate limits of the City of Weaver, Alabama.

Also:

All that part of the North Woods Subdivision Addition No. 1, lying East of Connemara Place and being situated in the NE $\frac{1}{4}$ of Section 4 and the NW $\frac{1}{4}$ of Section 3, Township 15 South, Range 8 East, Calhoun County, Alabama. Said property being adjacent to the corporate limits of the City of Weaver, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29 and Aug. 5, all in the year 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me Aug. 20, 1971.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Merrill, Stewart and Burgess:

II. 2752. To fix the salaries of the judge and the clerk of the Calhoun County Court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the salaries of the judge and the clerk of the Calhoun County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge and the clerk of the Calhoun County Court shall each receive a salary of \$1.00 per annum, which shall be paid at the end of each year out of the general funds of the county. The salaries herein provided shall be the entire compensation of such judge and such clerk and shall be in lieu of all other emoluments and remuneration, including expense accounts or allowances.

Section 2. All laws or parts of laws which conflict with this Act are repealed, and Act No. 344, H. 860 of the Regular Session of 1965, (Acts 1965, p. 480) is hereby expressly repealed.

Section 3. This Act shall become effective upon the expiration of the term of office of the incumbent judge of the Calhoun County Court.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 7, August 9, August 16, and August 23, all in the year 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me August 23, 1971.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Burgess, Stewart and Merrill:

H. 2753. To provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only in the City of Jacksonville in Calhoun County.

Section 2. As used in this act, unless the context clearly requires a different meaning: "City" means the City of Jacksonville in Calhoun County; "employee" means any person including firemen and policemen, not excepted by Section 3 of this act, who is employed in the service of the City of Jacksonville; "board" means the civil service board created by this act; "appointing authority" means in the case of employees in the offices of the elected officers of the city, such elected officers; in the case of all other city employees, the city governing body, or the board or other agency supervising their work.

Section 3. The provisions of this act shall apply to all officers and employees in the service of the city or any board, agency or instrumentality thereof except: (a) elective officers; (b) members of appointive boards, commissions, and committees; (c) all employees of the city board of education engaged in the profession of teaching or in supervising teaching in the public schools; (d) attorneys, physicians, surgeons, nurses and dentists employed in their professional capacities; (e) the judge of any court; (f) independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding; (g) any person whose employment is subject to the approval of the United States government or any agency thereof; (h) the secretary of the chief executive officer of the city.

Section 4. All employees of the city shall be governed by civil service rules and regulations prescribed in or promulgated pursuant to this act, administered by a civil service board, the creation of which is provided for in Section 5 hereof. Present employees shall remain in their respective employments during good behavior; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; and such employees, except for appointment, shall be subject fully to the provisions of this act.

Section 5. There is hereby created the Civil Service Board of the City of Jacksonville, which shall be composed of five members, appointed by the Calhoun County legislative delegation. The following groups shall each submit the names of three nominees to the legislative delegation:

1. All employees of the street sanitation department.
2. All employees of the gas and water department.
3. All employees of the police and fire department.
4. The Mayor and City Council.

The legislative delegation shall appoint one member from the nominees submitted by each group, and one other member at large. Each appointee shall serve for terms of six years or until his successor is appointed. No person shall be appointed to the board who is not a resident and qualified elector of the City of Jacksonville and over the age of twenty-five years.

Members of the board shall take the constitutional oath of office, which shall be filed in the office of the probate judge. Vacancies on the board shall be filled in the same manner as original appointments. The members of the board shall elect a chairman and secretary from among their number. Any member of the board who becomes a candidate for, or is elected or appointed to another public office vacates his office as a member of the board.

Section 6. Each member of the board shall be paid thirty five dollars per month by the City of Jacksonville. The board shall have power to appoint clerical assistance and engage legal counsel of its own choice.

Section 7. The board shall fix the times for its regular meetings; and it may hold special, adjourned or call meetings at any time. A majority of the members of the board shall constitute a quorum for the transaction of business. All meetings of the board shall be held in the city hall.

Section 8. The board shall keep minutes of its meetings and a record of all business transacted by it. Its records, except those the rules of the board require to be held confidential for reasons of public

policy, shall be open for inspection by any resident of the city at all reasonable times.

Section 9. The board shall have power to make rules and regulations governing examinations, eligible registers, appointments, transfers, salaries, promotions, demotions, annual and sick leave, and such other matters as may be necessary to accomplish the purposes of this act. A rule or regulation may be made effective only after a public hearing is held on the proposal thereof and after a certified copy thereof has been filed with the city clerk. All employees shall be appointed upon a non-partisan merit basis. There shall not be appointed, and the board shall not examine, any person who is not a citizen of the United States. The board shall: 1) classify the different types of services to be performed in the service of the city; 2) prescribe qualifications, including those of education, training, and experience, for the appointees and incumbents of each class; 3) with the approval of the appointing authority, fix a maximum and minimum salary for each class; and 4) allocate each position in the service to its proper class. It shall provide for the periodic rating of the employees according to their merit to determine whether they are maintaining standards of service. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations, and leaves of absence, and the severance of an employee's relationship with the city shall be in accordance with such regulations.

Section 10. The salary to be paid each subordinate employee shall be determined by his appointing authority; and the salary to be paid each department head employee shall be determined by the city governing body; but in every case the salary paid shall be within the pay plan and pay rules and regulations established by the board and shall be no more than the board approves. It shall be unlawful for any official or employee to draw or issue any warrant on the city treasury for the payment of salary to any employee covered by the provisions of this act unless the warrant is in an amount authorized by the board to be paid such employee. A sum paid as salary contrary to the provisions of this section may be recovered in an action brought by any resident of the city against the official or employee who draws or issues the warrant, or against the sureties on his bond.

Section 11. The board shall make and keep a register of all persons eligible and available for appointment to each class of position in the service of the city, ranked according to ability; it is provided, however, that no examination shall be given and no register kept for positions to be filled by persons designated by the board as common laborers. Layoffs available for re-employment shall be placed at the head of the proper present and subsequent eligible registers in the inverse order of their terminations. Employees who voluntarily terminate their services may be granted reemployment status upon proper eligible registers under such circumstances and in such manner as may be provided for in the board's rules and regulations, subject, however, to stipulations of this section concerning layoffs. Persons desiring appointment may file applications with the board, and the board shall, from time to time, conduct examinations to test the ability of such applicants. All qualified applicants shall be examined, and examinations shall be public, competitive, and, subject to limitations specified by the board as to age, residence health, height, weight, habits, moral character, and other factors pertinent to ability to discharge the duties of the position, open to all citizens of the United States. Examinations shall be practical in character and shall relate to those matters which test the ability of the person examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible register which is more than two

years old, and no eligible register shall be the result of more than one examination.

Section 12. Whenever a vacancy exists in any position in the service of the city, it shall be filled by appointment of one of the three persons who rank highest on the appropriate eligible register of the board or by transfer within the service of the city from another position of the same class. However, the ranking layoff of the same class shall be appointed in every instance. Whenever it is impossible for the board to certify eligible persons to a vacancy, the board may authorize the appointing authority to fill the vacancy temporarily pending the establishment of an eligible register. No such authorization may be given for longer than one hundred and twenty days, and no such employee shall have status under this act. All appointments, other than temporary appointments, shall be probationary for six months from the date of appointment. A probationary subordinate employee may be discharged by his appointing authority for unsatisfactory service at any time before the expiration of that period if the action is approved by the board; a probationary department head employee may be discharged or demoted similarly by his appointing authority upon approval by the board. After the expiration of the probationary period, an appointment shall become permanent.

Section 13. An appointing authority shall have authority to suspend an employee for any personal misconduct, or fact, affecting or concerning his fitness or ability to perform his duties in the public interest. In the event an employee is suspended for more than thirty days, he shall be entitled to a public hearing by the board upon written demand filed within five days from the date of the order of suspension. If, after hearing, the board determines that the action of the appointing authority was not with cause, the suspension shall be revoked.

Section 14. a) The governing body of the city, any member of the governing body, or the head of any department or office can remove, discharge, or demote any employee, officer or official of the city who is subject to the provisions of this act and who is directly under such governing body, member thereof, or department head, provided that within five days a report in writing of such action is made to the board, giving the reason for such removal, discharge, or demotion. The employee shall have ten days from the time of notification of his discharge, removal, or demotion in which to appeal to the board. The board shall thereupon order the charges or complaint to be filed forthwith in writing and shall hold a hearing de novo on such charges. No permanent employee, officer, or official of the city whose employment comes within the jurisdiction of this act, and whose probationary period has been served, shall be removed, discharged, or demoted except for some personal misconduct, or fact, rendering his further tenure harmful to the public interest, or for some cause affecting or concerning his fitness or ability; and if such removal, discharge or demotion is appealed to the board, then the same will become final only after a hearing upon written charges or complaint has been had and after an opportunity has been given him to face his accusers and be heard in his own defense. Pending a hearing on said appeal, the affected employee may be suspended; and after such hearing the board may order said employee reinstated, demoted, removed, discharged, or suspended, or take such other disciplinary action as in their judgment is warranted by the evidence and under the law. Charges may be filed by any resident citizen of the city as follows: the charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before any member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and,

if not, such charges may be dismissed by the board. If in the judgment of the board such charges are of a minor nature, such charges may be referred by the board to the proper department head who shall make an investigation of the charges and make his recommendation to the board within such time as the board may prescribe, as to what disciplinary action, if any, should be taken. After such recommendation is made by the department head and after due notice is given to the affected employee of the receipt of such recommendation and the contents thereof, the board may, in its discretion, adopt and order executed the action recommended by the department head or any part thereof. However, if the complainant or the affected employee, or both of them, objects to the recommendation of the department head, the board shall hold a public hearing de novo on the charges, and take such disciplinary action as in their judgment is warranted by the evidence and under the law. All hearings before the board shall be open to the public. All testimony given in all hearings before the board shall be taken down in shorthand by a stenographer. In all cases, the decision of the board shall be reduced to writing and entered in the record of the case. In all proceedings before the board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by a private citizen. In all proceedings before the board, the city attorney may appear and represent the interests of the city, and he shall also give such legal advice and legal assistance to the board as may be requested by it.

The board and its specially authorized representatives shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this act. The chief of police or some other police officer of the city shall serve all processes of the board, and shall attend upon and preserve order at all public hearings conducted by the board. In case a person refuses to obey such subpoena, the board or its representative may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representative and produce all evidence and give all testimony relating to the matter in issue. A person who fails to obey such subpoena order may be punished by the court as for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this state, which fees shall be paid from the treasury of the city.

(b) Any person aggrieved by a decision of the board may appeal such decision to the circuit court of Calhoun County in equity within thirty days from the rendition of such decision by the board. Review by the court shall be without a jury and be confined to the record, and to a determination of the questions of law presented; the board's findings of fact shall be final and conclusive.

Section 15. No employee shall make, solicit or receive any assessment, donation, subscription or contribution for any political purpose whatsoever, or be a member of a committee or an officer of a political party, or take any part in its management or affairs except to exercise his right as a citizen to express his opinion and cast his vote; no employee shall assist any candidate for nomination or election to public office, or make any public statement in support of or against any such candidate, or participate in any manner whatever in the campaign of any candidate in any general or primary election; and no employee shall receive any appointment or advancement as a reward for his support of a candidate for office or a political party; nor shall he be dis-

missed, suspended or reduced in rank or pay as punishment for his failure to support any candidate for political office.

Section 16. The compensation and all other expenses of the board arising under the provisions hereof shall be paid from funds of the city on the order of the board in the same manner as other city salaries and expenses are paid, provided, however, that the total expenditures in any one year shall not exceed Five Thousand Dollars (\$5,000.00) without the approval of the city governing body. The city governing body shall provide the board an office in the city hall, which shall be suitably equipped and furnished for the needs of the board, and telephone service, postage, office supplies, and stationery.

Section 17. Any person in the service of the city by appointment under civil service rules or regulations who wilfully violates any of the provisions of this act, or any rule or regulation issued in pursuance thereof, shall be dismissed from service under the system and shall not be reappointed for two years.

Section 18. Any person who violates any of the provisions of this act shall be guilty of misdemeanor.

Section 19. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. All laws or parts of laws which conflict with this act are repealed.

Section 21. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 5, August 9, August 16, and August 23, all in the year 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me August 23, 1971.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 2755. Relating to all counties having a population of not less than 34,000 nor more than 34,800 inhabitants according to the last or any subsequent federal decennial census; providing for an increase in the compensation of the members of the board of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Also:

By Mr. Smith (P):

H. 2759. To fix the compensation of members of the county board of education of all counties having populations of not less than 65,000 nor more than 68,000, according to the 1970 or any subsequent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B. 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2755, 2759. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grainger, Lutz, King and Hearn:

H. 2766. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Be It Enacted by the Legislature of Alabama:

Section One: The governing body of Madison County, Alabama, and the Madison County License Department are hereby granted authority to establish, when and where deemed necessary and advisable, offices of the County License Department in various locations throughout said county, separate and apart from the offices of said Department

located in the Madison County Courthouse building at Huntsville, Alabama.

Section Two: Said offices shall be established at the direction of and operated under the authority and responsibility of the Direction of the Madison County License Department, who shall be and he hereby is authorized and empowered to sell and to collect the fees and charges for automobile, truck, car, trailer, and boat tags and-or licenses at such offices when so established.

Section Three: The county governing body shall provide the Director of the License Department with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences as it may consider necessary for the proper and efficient operation of these various offices.

On or before August 15 of each year, the Director of the License Department shall file with the governing body of Madison County a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for the operation of these various offices during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October of each year and the budget so adopted shall make such provision with respect to the financial operation of the License Department as the county governing body may determine reasonable and proper.

Section Four: The county governing body is authorized and may charge a fee, not to exceed One (\$1.00) Dollar, in addition to all other fees or charges made or collected by the Madison County License Department and said charge shall be a convenience fee charged only to those persons who purchase automobile, truck, car, trailer and boat tags and-or licenses at such offices of said department which are established under and by authority of this Act and operated for the convenience of the citizens of Madison County, Alabama. The said fee shall be paid by the Director of the Madison County License Department to the governing body of said county and paid into the General Fund of said county. Said fee is authorized to offset or compensate Madison County for the operation of those offices located separate and apart from those provided for the Madison County License Department in the Madison County Courthouse and established under and by authority of this Act.

Section Five: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section Six: All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the

State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 3, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 2769. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the County Court in such counties; to repeal conflicting laws.

Also:

By Messrs. Hearn, Lutz, Grainger, King and Hale:

H. 2770. To change the method of compensating the Sheriff of Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the Sheriff of Madison County.

Be It Enacted by the Legislature of Alabama:

Section One: The Sheriff of Madison County shall be entitled to receive as compensation a salary of Eighteen Thousand (\$18,000.00) Dollars per annum.

Such salary shall be in lieu of all other compensation, remuneration or repayment of expenses heretofore provided by law, including, but not limited to, fees, commissions, allowances, percentages, charges and expenses for transferring prisoners and insane persons to and from points outside the county, allowances authorized for feeding prisoners and other charges heretofore paid such officer and such salary shall be payable in equal monthly installments out of the General Fund of the County.

Section Two: All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the Sheriff, hereafter shall be collected and paid into the General Fund of the County by the officer authorized by law to make such collection. Such payment into the General Fund of the County shall be made by the tenth (10) day of the month following collection.

Section Three: The county governing body shall likewise provide the Sheriff with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expense and such other conveniences as it may consider necessary for the proper and efficient operation of the Sheriff's office and shall furnish the Sheriff an adequate number of automobiles or other motor vehicles, which shall be repaired, maintained and serviced (including oil, gas, tires, battery service and lubrication necessary for their upkeep and operation; at the Madison County Highway Maintenance Shop, or elsewhere in case of emergency, at the expense of the General Fund of the County under such regulations as the county governing body may prescribe. The Sheriff shall have a chief deputy and such additional deputies as shall be provided in the budget adopted by the governing body of Madison County, Alabama for the operation of said office. Such chief deputy or deputies shall serve at the pleasure of the Sheriff.

On or before August 15 of each year, the Sheriff shall file with the governing body of the County a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for the operation of said office during the ensuing fiscal year. The governing body of the County shall adopt its budget not later than the first regular meeting in October of each year and the budget so adopted shall make such provision with respect to the financial operation of the office of the Sheriff as the county governing body may determine reasonable and proper.

Section Four: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section Five: All laws or parts of laws which conflict with this Act are repealed.

Section Six: This Act shall become effective immediately upon its passage and approval by the Governor or in the alternative at the earliest effective date allowed by law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 3, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. Grainger, Lutz, Hale, King and Hearn:

H. 2771. To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act.

Also:

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 2792. To amend Sections 1 and 3 of Act No. 774, S. 626, of the 1951 Regular Session of the Legislature of Alabama, approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" so as to make said Act apply only to cities having a population of not less than 150,000 nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Also:

By Messrs. Hearn, Grainger, Hale, King and Lutz:

H. 2793. Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the 1971 Regular Session of the Legislature, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Madison County is authorized to call an election of the qualified voters of said county to determine whether or not a special county license tax and registration fee be levied as hereinafter provided. The election provided for herein shall be called, held, conducted and canvassed and may be contested in the same manner as provided by law for the calling, holding, conducting and canvassing of county bond elections provided, however, the notice of election need be published only once a week in each of two consecutive weeks, the first such publication to be not less than ten days prior to the date of the election. Elections to authorize the levy of said special county license tax and registration fee may be held as often as ordered by the governing body of Madison County, but if the proposition is submitted to the voters and is defeated, another election shall not be held in one year thereafter.

Section 2. The governing body of Madison County shall declare the results of the election and, if a majority of the qualified voters participating at an election are found to have voted for the levy of

the special license tax and registration fee, and if the governing body of the City of Huntsville files with the governing body of Madison County a certified copy of a duly adopted resolution so requesting, the governing body of Madison County may levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Madison County and upon every such vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county. The county license tax and registration fee shall become due on the due date of the state license and registration fee levied under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940 or any laws amendatory thereof or supplementary thereto, next following the levy of said county license tax and registration fee by the governing body of Madison County, and on the same day in each year thereafter.

Section 3. The License Director of Madison County shall collect the annual license tax and registration fee authorized by this Act from the owner of the motor vehicle at the time he collects the state license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Madison County, but the License Director shall not be allowed any fee for collecting the county license tax and registration fee. Until the county license tax and registration fee has been paid, the License Director shall not issue a motor vehicle license tag for use on any motor vehicle upon which a license tax and registration fee is imposed pursuant to this Act.

Section 4. Motor vehicles owned and used by the state and counties or municipalities of this state, shall not be liable for the payment of the county license tax and registration fee authorized by this Act.

Section 5. Statutes providing for the purchase of any motor vehicle license on a monthly declining or half-year basis shall not apply to the license tax and registration fee authorized by this Act.

Section 6. The purchaser of any motor vehicle shall have four days from the date of acquisition within which to pay the county license tax and registration fee authorized herein.

Section 7. The governing body of Madison County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the county license tax and registration fee authorized by this Act and to expend so much of the proceeds thereof as may be necessary to collect and enforce the tax and to provide for the evidence of the payment thereof.

Section 8. No motor vehicle upon which a county license tax and registration fee is imposed pursuant to this Act shall be operated upon the public highways of Madison County until said tax and fee shall have been paid as herein provided.

Section 9. The proceeds of the county license tax and registration fee authorized by this act, less the cost of collecting, administering and providing the evidence of the payment thereto shall be used solely for the purpose of providing emergency medical treatment and transportation through the use of motor vehicles or aircraft to the sick and injured within Madison County. Said service and transportation shall

be maintained in connection with the operation of the Huntsville Hospital Emergency room, or in connection with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama, and the proceeds of said license tax and fee shall be paid by the License Director of Madison County to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for the purposes herein enumerated. In the event the Huntsville Hospital shall be acquired by another public hospital corporation organized under the laws of the State of Alabama heretofore or hereafter enacted, the net proceeds of said county license tax and registration fee shall be paid over to such public hospital corporation for the aforesaid purposes and, within fifteen days after the end of each month, the License Director of Madison County shall turn over the net proceeds thereof to said public hospital corporation, whose duty it shall be to receipt therefor.

Section 10. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act, shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Charles B. O'Reilly, Jr., known to me, who being by me first duly sworn, deposes and says he is Advertising Director of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 7, 14, 21 and 23, 1971.

CHARLES B. O'REILLY, JR.,
Advertising Director.

Sworn to and subscribed before me this the 23rd day of August, 1971.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Grainger, Hale, King and Hearn:

H. 2794. To amend Section 1 of Act No. 773, S. 621, Approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Municipal Employees Pension and Relief Funds", so as to make said act applicable only in cities having a population of not less than 150,000, nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Also:

By Messrs. Hale, King, Hearn, Grainger and Lutz:

H. 2795. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the 1971 regular session of the Legislature of Alabama, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made.

A BILL
TO BE ENTITLED
AN ACT

To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Huntsville, Madison County, Alabama, be, and the same are altered or rearranged to as to include within the corporate limits of said City of Huntsville all territory now within such corporate limits and also certain other territory in Madison County, Alabama, such said other certain territory is more particularly described as being all of the territory lying within the County of Madison, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

All that part of the Southwest Quarter of Section 11, Township 4 South, Range 1 West, in the City of Huntsville, Madison County, Alabama, particularly described as beginning at a point on the South margin of Ridgecrest Avenue, said point being located North 89 degrees 00 minutes East 2513.3 feet and South 1461.15 feet from the center of the West boundary of said Section 11, Township 4 South, Range 1 West; thence from the place of beginning South 1165.65 feet; thence south 88 degrees 32 minutes West 1291.87 feet to a point on the South margin of Ridgecrest Avenue; thence along the South margin of said Ridgecrest avenue and around a curve to the left the chord bearing and distance of which is North 52 degrees 47 minutes East 127.00 feet to a point of tangent; thence continuing along the South margin of said Ridgecrest Avenue North 46 degrees 42 minutes East 1635.80 feet to the place of beginning and containing 17.03 acres, more or less.

Section 2. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Charles B. O'Reilly, Jr., known to me, who being by me first duly sworn, deposes and says he is Advertising Director of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the

attached legal notice was published in said newspaper on August 7, 14, 21 and 23, 1971.

CHARLES B. O'REILLY, JR.,
Advertising Director.

Sworn to and subscribed before me this the 23rd day of August, 1971.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Mr. Reed (T):

H. 1263. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census; to extend the juvenile jurisdiction of probate courts or any court authorized by law to exercise such juvenile jurisdiction to children under eighteen years of age.

Also:

By Mr. Reed (T):

H. 1265. Relating to all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

Also:

By Mr. Reed (T):

H. 2608. Relating to all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

Also:

By Mr. Reed (T):

H. 2609. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Also:

By Mr. Reed (T):

H. 2610. To provide that the county commissions of all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The Chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

Also:

By Mr. Reed (T):

H. 2611. Relating to counties having populations of not less than 11,500 and no more than 12,500, according to the most recent decennial

census; authorizing the governing body of every such county to provide the sheriff of the county an allowance for clerk hire.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 2649. To authorize the Registers of all Circuit Courts, in all Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal Decennial Census, to destroy all documents, papers, exhibits, receipt books and cancelled checks filed in Equity cases in such Courts after the expiration of Twenty (20) years from the filing date of the final decree in such cases, and making the Minute and Final Record Books the Official Court Records of such destroyed documents and papers; but no authority is given herein to destroy the Docket Sheets, Minute Books, Final Record Books or Indices in such cases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2766, 2769, 2770, 2771, 2792, 2793, 2794, 2795, 1263, 1265, 2608, 2609, 2610, 2611 and 2649. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 764, Regular Session of the 1969 Legislature, approved September 13, 1969, I have appointed the following as members of the State Forestry Commission:

Roy B. Morgan, Sr., Greenville—For the term expiring November 5, 1971—replacing Hugh Kaul of Birmingham

Wm. H. Stimpson, Mobile—Reappointment for the term expiring November 5, 1975

C. E. Hornsby, Centreville—For term expiring November 5, 1973—replacing W. B. Herndon of Hatchechubbee

Grover A. (Al) Gibbs, Troy—For term expiring November 5, 1973—replacing Gordon Comer, Jr. Childersburg, Ala.

Ross Daniels, Montgomery—For term expiring November 5, 1974—replacing W. R. Sizemore of Tallassee

Joe McCorquodale, Jr., Jackson—For term expiring November 5, 1975—replacing Boyd Adams of Daphne, Ala.

Kelly Sistrunk, Opelika—For term expiring November 5, 1975, replacing Sam R. Murphy of Jasper, Alabama.

As these appointments, under the provisions of the above mentioned Act, must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 31, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Forestry Commission was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 740, Regular Session of the 1969 Legislature, approved September 12, 1969, I have appointed the following as members of the Alabama Securities Commission:

Sam I. Diamond, Montgomery—Re-appointment—For term expiring October 31, 1971

Charles A. Stakely, Jr., Montgomery—Replacing Charles R. Adair, Jr., for the term expiring October 31, 1973

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 31, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Securities Commission was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 917

The Senate proceeded to further consideration of the Bill, S. B. 917. The question was on the motion of Mr. Lybrand that the motion to reconsider be postponed until the Thirty-fourth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1052. Relating to counties having populations of not less than 16,350 nor more than 16,550, fixing the jurisdiction of the Inferior Courts

in such counties; providing for the compensation of special judges in such counties of said Inferior Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Givhan	Littleton	Register	
Carr	Hammond	McLain	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1053. Relating to Choctaw County; to provide for the appointment of the county superintendent of education; to prescribe the qualifications, duties, term of office, and compensation of such officer; and to repeal all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Shelby	
Carr	Givhan	Noonan	Vacca	
Clark	Hammond	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Cooper	Lindsey			—25

Nays: —0

The Bill:

S. 1215. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings, including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the $\frac{1}{4}$ of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Pierce
Clark	Hammond	McLain	Weaver
Cook	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Edington	Horne		

—25

Nays:

—0

The Bill:

H. 2125. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by forecloseable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of

probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Hammond	McLain	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendments to the bill:

H. 47. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

said Conference Report being in words and figures, to-wit, as follows:

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL 47

We, the committee on conference appointed to reconcile the difference of the two houses concerning House Bill 47, have met in conference, considered the matter in conference, and have agreed to the following report:

Amend House Bill 47, as amended, by striking Section 1 thereof in its entirety and substituting in lieu thereof the following:

"Section 1. Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is amended so that the said Section 697 shall read as follows:

Section 697. For each truck or truck tractor using the public highways of this State, annual license taxes and registration fees, based on the gross vehicle weight in pounds, are hereby imposed and shall be charged. For the purposes of this section, the term "gross vehicle weight" shall mean the empty weight of the truck or truck tractor plus the heaviest load to be carried; and, in the case of combinations, shall be deemed to include also the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error shall be allowable under any of the provisions of this section.

The amount of the said license tax and registration fee with respect to each truck or truck tractor shall consist of (i) the base amount applicable to that particular truck or truck tractor under the provisions of this section plus (ii) in the case of each truck or truck tractor having a gross vehicle weight in excess of 30,000 pounds, the additional amount applicable to that particular truck or truck tractor under the provisions of this section.

(a) For each truck or truck tractor, other than those referred to in subsection (b) of this sections, using the public highways of this state, the annual license taxes and registration fees herein imposed (i) shall consist of the base amount applicable to such truck or truck tractor under the schedule of base amounts set forth in this subsection (a), plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the schedule of additional amounts set forth in this subsection (a):

SCHEDULE OF BASE AMOUNTS

Gross Vehicle Weight in Pounds	Base Amount
0 to 8,000	\$ 13.00
8,001 to 12,000	30.00
12,001 to 18,000	45.00
18,001 to 30,000	75.00
30,001 to 42,000	100.00
42,001 to 52,000	150.00
52,001 to 62,000	200.00
62,001 or over	250.00

SCHEDULE OF ADDITIONAL AMOUNTS

Gross Vehicle Weight in Pounds	Additional Amount
30,001 to 42,000	\$30.00
42,001 to 52,000	45.00
52,001 to 62,000	60.00
62,001 or over	75.00

provided, that the total amount of the said annual license tax and registration fee shall be limited with respect to trucks owned and used by a farmer for transporting farm products or the personal property of the farmer for his use on his farm to a maximum of \$30 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of \$85 where the gross vehicle weight of the truck exceeds 30,000 but does not exceed 42,000 pounds and the said annual license tax and registration fee shall be limited with respect to trucks owned

and used by any person for transporting forest products from the point of severance to a sawmill, to a papermill, or to a concentration yard to a maximum of \$40 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of \$65.00 where the gross vehicle weight exceeds 30,000 pounds but does not exceed 42,000 pounds.

(b) For each truck or truck tractor, using the public highways of this state, (1) which has more than two axles when a single unit, or is used in combination with a trailer or semitrailer, and (2) which is either (i) used to transport goods, wares, merchandise or commodities of any kind or nature, for compensation of any kind, or (ii) operated under any rental, lease or other agreement with carriers for compensation of goods, wares, merchandise or commodities, where compensation is charged under such rental, lease or other agreement, for the use of such truck or truck tractor, except trucks used for the transportation of household goods, personal furniture, other household effects, farm produce, farm products, and forest products, the annual license taxes and registration fees herein imposed shall consist of (i) the base amount applicable to such truck or truck tractor under the following schedule of base amounts plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the following schedule of additional amounts:

SCHEDULE OF BASE AMOUNTS

Gross Vehicle Weight in Pounds	Base Amount
0 to 6,000	\$ 13.00
6,001 to 12,000	35.00
12,001 to 18,000	60.00
18,001 to 24,000	75.00
24,001 to 30,000	200.00
30,001 to 36,000	300.00
36,001 to 42,000	400.00
42,001 to 62,000	500.00
62,001 or over	600.00

SCHEDULE OF ADDITIONAL AMOUNTS

Gross Vehicle Weight in Pounds	Additional Amount
30,001 to 36,000	\$ 90.00
36,001 to 42,000	120.00
42,001 to 62,000	150.00
62,001 or over	180.00

Provided further, that for each truck or truck tractor, using the public highways of this state, (1) which has more than two axles when a single unit, or is used in combination with a trailer or semitrailer, and (2) which is either (i) used to transport goods, wares, merchandise or commodities of any kind or nature, for compensation of any kind, or (ii) operated under any rental, lease or other agreement with carriers for compensation of goods, wares, merchandise or commodities, where compensation is charged under such rental, lease or other agreement, for the use of such truck or truck tractor used for the transportation of coal, iron ore, limestone, bauxite, sand, gravel, and commodities exempt under the Alabama Motor Carrier Act of

1939, as amended (or any one or more of the items listed in this paragraph), except trucks used for the transportation of household goods, personal furniture, other household effects, farm produce, farm products, and forest products, the annual license tax and registration fee shall consist of the amount applicable to each such truck or truck tractor under the following schedule:

Gross Vehicle Weight in Pounds	Amount
0 to 6,000	\$ 13.00
6,001 to 12,000	30.00
12,001 to 18,000	45.00
18,001 to 24,000	75.00
24,001 to 30,000	150.00
30,001 to 36,000	300.00
36,001 to 42,000	400.00
42,001 to 62,000	450.00
62,001 or over	500.00

Provided, that for each tractor which is operated by a for-hire motor carrier and which is operated exclusively within 15 miles of the corporate limits of the incorporated municipality in which it is customarily domiciled (but not including vehicles operating beyond the borders of Alabama) an annual license tax and registration fee of \$150 is hereby imposed and shall be charged.

(c) Every person making application for license under this section to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

After having obtained a license under this section with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross vehicle weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor.

(d) Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount

of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, that for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figures to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year."

Conferees on the part of the Senate
Joe Fine
James S. Clark
E. C. Foshee

Conferees on the part of the House
Joe C. McCorquodale, Jr.
Tom Drake
Bill Williams

And said bill as thus amended by the report of the Committee of Conference was again read at length and passed.

And said Bill, H. 47, together with the Report of the Committee of Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Fine moved that the Senate concur in and adopt the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 47, the title of which and said Conference Report are set out in the foregoing Message from the House.

Mr. Wilder moved as a substitute motion that the Senate non-concur in said Conference Report and request a new Committee on Conference. On motion of Mr. Fine, the motion to non-concur was laid on the table.

Yeas 21; Nays 13.

Yeas:

Messrs.:	Givhan	McLain	Pelham
Branyon	Hammond	Malone	Register
Clark	Harris	Noonan	Shelby
Dozier	Lindsey	O'Bannon	Weaver
Fine	Littleton	Owen	Wilson
Foshee	Lybrand		

—21

Nays:

Messrs.:	Cooper	Hawkins	Pierce
Balles	Dominick	Jones	Vacca
Carr	Edington	King	Wilder
Cook	Gilmore		

—13

The question recurred on the motion of Mr. Fine, which was adopted, and the Senate concurred in and adopted the report of the Committee on Conference on the Bill, H. B. 47.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Foshee	Littleton	Owen
Branyon	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Register
Cooper	Harris	Malone	Shelby
Dozier	Horne	Noonan	Weaver
Fine	Lindsey	O'Bannon	Wilson

—23

Nays:

Messrs.:	Dominick	Hawkins	Vacca
Bailes	Edington	Jones	Wilder
Carr	Gilmore	Pierce	

—10

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

And said Bill as thus amended by the report of the Committee of Conference was again read at length and passed.

And said bill, together with the Report of the Committee of Conference is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1021. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Also:

S. 1022. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

S. 1023. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

S. 1024. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

S. 1025. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Also:

S. 1083. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less

than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

S. 1084. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

S. 1085. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

S. 1087. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Also:

S. 1088. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Also:

S. 1090. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and in-

structors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1010. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

S. 1011. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

S. 1012. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of

aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by foreclosable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Also:

S. 1013. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Also:

S. 1014. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Also:

S. 1015. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Also:

S. 1016. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Also:

S. 1017. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

S. 1019. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 851. To apply in all counties having populations of not less than 11,500 nor more than 12,500, providing clerk-hire allowances for certain county officers.

Also:

S. 858. To provide that the presiding officer of the county commission of all counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census shall be officially known and designated as the Chairman of the County Commission.

Also:

S. 928. To authorize and provide for the final record in civil suits at law in the Circuit Court and in any County or Inferior Court of record in all counties having a population of not less than 110,000 and not more than 150,000 inhabitants as shown by the last or any succeeding Federal census.

Also:

S. 959. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to authorize the governing body to appropriate a sum not to exceed fifteen hundred dollars (\$1500) annually for the use of the County Cattlemen's Association in promoting their programs.

Also:

S. 961. Relating to all counties having a population of 57,000 and not more than 61,000, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Also:

S. 978. To provide further for a governing body for Autauga County to name and designate the chairman and first members of the Autauga County Commission and to provide for the election of their successors; to define the authority, powers and duties of the commission and to prescribe the qualifications, terms and compensation of its members.

Also:

S. 1001. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

Also:

S. 1003. To amend the title and Section 1 of Act No. 1025, S. 890, Regular Session 1969 (Acts 1969, p. 1903), which Act provides further for the compensation, fees, power and duties of the judge and clerk of the Inferior Court of certain counties classified on a population basis.

Also:

S. 1004. To amend the title and Section 1 of Act No. 317, H. 716, Regular Session 1963, (Acts 1963, p. 796), as amended, which Act provides for the payment of additional expense allowances of members of the county governing body in certain counties classified on a population basis.

Also:

S. 1005. To amend the title and Section 1 of Act No. 1023, S. 878, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the compensation of deputy sheriffs in certain counties classified on a population basis.

Also:

S. 1006. To amend the title and Section 1 of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Also:

S. 1007. To amend the title and Section 1 of Act No. 168, H. 55, Regular Session 1961 (Acts 1961, p. 212), which Act provides further for the compensation of fire wardens in certain counties classified on a population basis.

Also:

S. 1008. To amend Section 1 of Act No. 140, S. 119, Special Session 1961 (Acts 1961, p. 2082), which Act provided for the closing of the offices in the courthouse on certain days in certain counties classified on a population basis.

Also:

S. 1038. Relating to counties having not less than 16,000 nor more than 16,250 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

Also:

S. 1067. To authorize the county solicitor of all counties having a population of not less than 16,000 nor more than 16,250 according to the most recent Federal Decennial Census to employ an assistant district attorney and to authorize and regulate the payment of compensation to such an assistant from county funds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 942. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

Also:

S. 950. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

Also:

S. 951. To alter or rearrange the boundary lines of the City of Cordova, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Walker County, Alabama.

Also:

S. 962. Relating to Wilcox County; authorizing additional compensation for registrars.

Also:

S. 1068. Relating to Walker County; regulating costs and charges of certain courts in said county.

Also:

S. 1094. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Also:

S. 1095. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Also:

S. 1096. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Also:

S. 1097. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Also:

S. 1098. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Also:

S. 1099. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 504. To authorize the governing body of Tuscaloosa County and the governing body of any municipality in such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating facilities for

parking motor vehicles and related facilities, and financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating a public transit or transportation system and related facilities, including offices for any such authority; to authorize the leasing or letting of facilities; to authorize such authority to issue bonds of indebtedness; to provide that such bonds shall be negotiable instruments; to authorize such authority to enter into contracts and to acquire and dispose of properties; to provide that such authority shall have powers, privileges and rights necessary to carry out the purposes hereof; and to provide for the dissolution of the authority and the disposition of its property.

Also:

S. 751. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

Also:

S. 752. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Also:

S. 758. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Also:

S. 760. Relating to counties having populations of not less than 110,000 nor more than 150,000, providing for meetings of the board of registrars in such counties.

Also:

S. 761. Relating to all counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Also:

S. 762. Relating to counties having populations of not less than 110,000 nor more than 150,000; regulating the appointment of special constables in such counties in certain cases; repealing conflicting laws.

Also:

S. 764. To apply in all those counties in Alabama having not less than 110,000 population and not more than 150,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

Also:

S. 767. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies

of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Also:

S. 768. To regulate further membership on free public library boards in all counties in this State having populations of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for increasing the size of such boards and prescribing the manner of appointment of members thereof.

Also:

S. 769. Relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1100. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissability of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

Also:

S. 1101. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Also:

S. 1103. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

S. 1106. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Also:

S. 1113. Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Also:

S. 1115. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Also:

S. 1118. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Also:

S. 1119. To amend the title and Sections 1, 3 and 4 (b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Also:

S. 1120. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Also:

S. 1122. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Also:

S. 1130. To repeal Act No. 689, S. 429, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1283), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer."

Also:

S. 1131. To repeal Act No. 79, S. 60, approved July 9, 1962, Special Session 1962 (Acts 1962, p. 101), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated

upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Also:

S. 949. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

Also:

S. 970. To provide that the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Also:

S. 971. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy.

Also:

S. 972. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to designate an official County Historian and appropriate a small honorarium for same.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 759. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to

create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

H. 760. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

H. 1420. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census.

Also:

H. 1440. To amend the title and Section 1 of Act No. 460, H. 516, Regular Session 1967 (Acts 1967, p. 1151), which declares the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951 and as further amended by an Act approved July 24, 1953, to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes to declare that habitual violation of said statutes constitute a legal nuisance, to provide certain exemptions; to prevent unfair competition among merchants through violations of said statutes; to provide for the enforcement by injunction from a court in equity of the provisions of such legal action in certain counties classified on a population basis.

Also:

H. 1502. To apply in counties having populations of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census; to legalize racoon hunting in such counties with shotgun and number eight shot; and to prescribe penalties.

Also:

H. 1504. Relating to law enforcement in any County with a population of not less than 34,100 nor more than 34,900 according to the 1970 decennial census; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Also:

H. 1505. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an additional expense allowance of \$30.00 per month for each member of the county school board of such counties.

Also:

H. 1506. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$150.00 per month to each member of the county commission in such counties.

Also:

H. 1507. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for a raise in the registrars pay of such counties to \$20.00 per day.

Also:

H. 1508. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$1,200.00 per annum for the circuit court clerk to compensate for services rendered to the inferior court.

Also:

H. 1510. Relating to counties having a population not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide for the payment to the members of the Board of Equalization of such counties an amount in addition to the present compensation under state law that will equal \$15 per day for the days they attend meetings of the board.

Also:

H. 1571. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide further that all items exempt from statewide sales tax shall automatically be exempt from any county sales tax levied in counties to which this act applies.

Also:

H. 1597. To authorize the Sumter County Commission to levy and collect a privilege or excise tax on the privilege of selling, using, consuming, distributing, storing or withdrawing from storage in Sumter County malt or brewed beverages; to provide that such tax shall be in addition to all other taxes on such malt or brewed beverage; to prescribe the maximum rate of such tax; to provide for the collection, distribution and use of any tax levied under this act; and to prescribe penalties.

Also:

H. 1599. To repeal Act No. 49, H. 350, approved June 25, 1969, Regular Session 1969 (Acts 1969, p. 342), entitled, "An Act Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances."

Also:

H. 1598. To repeal Act No. 185, H. 566, approved July 25, 1963, Regular Session 1963 (Acts 1963, p. 569), entitled, "An Act Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties."

Also:

H. 1702. To alter and rearrange the boundary lines of the city of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said city.

Also:

H. 1717. To amend the title and Section 1 of Act No. 611, H. 754, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment of an additional clerk as assistant to the clerk by the circuit court clerk in certain counties classified on a population basis.

Also:

H. 1718. To amend the title and Section 1 of Act No. 1182, H. 1320, Regular Session 1969 (Acts 1969, p. 2211), which provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

Also:

H. 1719. To amend the title and Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), which provides for the compensation of county superintendents of education in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not

meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

said Conference Report being in words and figures, to-wit, as follows:

REPORT OF COMMITTEE ON CONFERENCE
ON HOUSE BILL 46, AS AMENDED

We, the committee on conference appointed to reconcile the differences of the two houses concerning the House Amendment to House Bill 46, as amended, have met in conference, considered the matter in conference, and have agreed to the following report:

Amend House Bill 46, as amended, as follows:

(1) Amend Section 1 of House Bill 46, as amended, by striking the words "bearings, journals, axles, hubs, and other parts of machinery," in the definition of "lubricating oil".

(2) Amend Section 8 of House Bill 46, as amended, in the second line by adding the words "for resale" after the phrase "person that has purchased" and before the phrase "any petroleum product".

(3) Amend House Bill 46, as amended, by striking Section 9 of said House Bill 46 in its entirety and substituting in lieu thereof the following:

"Section 9. Inspection Fee. An inspection fee is hereby imposed and shall be collected in respect of petroleum products sold, offered for sale, stored or used in the State, the said fee to be measured by the number of gallons and to be at the following rates:

- (a) Gasoline: one-fortieth of one cent (1/40¢) per gallon,
- (b) Diesel fuel other than that referred to in clauses (e), (f), (g), and (h) of this section: one cent (1¢) per gallon,
- (c) Kerosene other than that referred to in clauses (e), (f), and (g) of this section: one cent (1¢) per gallon,
- (d) Lubricating oil: fifteen cents (15¢) per gallon,
- (e) Kerosene or diesel fuel that are of the types customarily used as, and that are intended to be used only as, fuel to propel jet aircraft; one-fortieth of one cent (1/40¢) per gallon,
- (f) Kerosene or diesel fuel that is used by the ultimate consumer thereof as motor fuel to operate boats, yachts, ships or other maritime vehicles, whether said boats, yachts, ships or other maritime vehicles are used commercially or for pleasure: one-fortieth of one cent (1/40¢) per gallon,
- (g) Kerosene or diesel fuel used by the ultimate consumer thereof to propel or operate tractors which are not operated on public highways but which are used exclusively in preparing and cultivating land, harvesting any agricultural commodity, or for other agricultural purposes, including pasture and hay production; provided, however, that the term "tractors" as used herein shall not include automobiles, trucks, pick-ups, trailers, semi-trailers, or other such vehicles: one-fortieth of one cent (1/40¢) per gallon,

(h) Diesel fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent ($1/40\text{¢}$) per gallon. Diesel fuel of the types referred to in this clause (h) shall be inspected subsequent to delivery to the railway company that will use the said fuel. The quantity of fuel upon which the inspection fee herein provided for is to be paid shall be determined in a manner prescribed by the commissioner.

It shall be the duty of the person first selling or storing or using any petroleum product in the state to pay said inspection fee. The inspection fee herein provided for shall be paid to the Commissioner on or before the 20th day of each month in respect of all petroleum products sold, stored or used in the state during the preceding month, and each remittance shall be accompanied by a certificate stating that the amount remitted is correct and that the petroleum products so sold, stored or used are of standard not less than the minimum specified for that petroleum product in the standards prescribed by the board pursuant to Section 3 hereof. If, at the time the said inspection fee is due, the person liable therefor is unable to ascertain the correct amount of such inspection fee because the use to be made of any diesel fuel or kerosene with respect to which the said inspection fee is then due has not been or cannot be ascertained at such time, then such person shall pay to the Commissioner as the inspection fee payable with respect to such diesel fuel and kerosene, one cent (1¢) for each gallon of such diesel fuel and each gallon of such kerosene. Upon furnishing proof satisfactory to the Commissioner that all or any portion of such diesel fuel or kerosene with respect to which an inspection fee at the rate of one cent (1¢) per gallon has been paid has been or will be used for a purpose or purposes specified in clauses (f) and (g) above, then such person shall be entitled to a credit against the amount of inspection fee becoming due from such person on the 20th day of the then next following calendar month, such credit to be in an amount equal to thirty-nine fortieths of one cent ($39/40\text{¢}$) for each gallon of kerosene or diesel fuel proved to have been used or to be used for such specified purpose or purposes; provided, that should the credit to which a person is entitled hereunder exceed the amount of the inspection fee becoming due from such person on the 20th day of the then next following calendar month, then the excess of the credit over the amount of the inspection fee becoming due shall be refunded in cash to such person, or, at such person's election, credited against the amount of any inspection fees subsequently becoming due from such person. The board shall have authority to promulgate rules and regulations with respect to the form and content of the proof of use which must be supplied by a person seeking such a credit or refund and with respect to the procedure to be followed in applying for such a credit or refund. The inspection fee herein provided for shall be paid but once with respect to the same product, but in the event any person fails to make payment as herein provided on or before the date such payment is due, the Commissioner shall add to the inspection fee already due an amount equal to 10% thereof as a penalty for the failure of such person to make such report and payment upon the date herein provided and shall proceed to collect such inspection fee, together with all costs incident to such inspection, including the penalty. The inspection fee (and any penalty added thereto) shall constitute and operate as a lien, at all times until paid, upon any petroleum products sold or offered for sale or stored or used in the state by the person liable for the fee, and shall be immediately enforceable by the Commissioner when due in the same manner as are tax liens upon personal property of a delinquent taxpayer. The inspection fee provided for herein is in addition to all other fees and all taxes payable with respect to petroleum products. Notwithstanding anything to the contrary herein, no inspection fee or penalty shall be due or payable

with respect to petroleum products which are sold or offered for sale or stored or used while they are in interstate or international commerce, but if after such petroleum products are removed from interstate or international commerce, such petroleum products are sold or offered for sale or stored or used in the state, the fee herein provided for shall be payable with respect to such petroleum products.

(4) Amend Section 11 of House Bill 46 by striking such section in its entirety and substituting in lieu thereof the following:

"Section 11. Disposition of inspection fees and penalties. The proceeds from the permit fees, inspection fees and penalties, if any, collected by the Commissioner pursuant to the provisions of this act, shall be paid into the state treasury and distributed as follows:

(a) The first \$55,000 of such proceeds received each month shall accrue to the credit of, and be deposited in, the agricultural fund; and

(b) The balance or residue of the said proceeds collected each month shall accrue to the credit of, and be deposited in, the public road and bridge fund.

In the event of the collection hereunder from any person of an amount in excess of the amount of all permit fees, inspection fees, or penalties properly and lawfully required to be paid by such person, such person may apply to the commissioner for a refund of the amount of such overpayment. If such application for refund is approved in whole or in part by the commissioner, the commissioner shall submit to the state comptroller a statement, approved by the state attorney general, setting forth the amount determined to have been overpaid and the date of the overpayment. The state comptroller shall then draw his warrant, in favor of the person making such overpayment, upon the state treasurer for the amount specified in the said statement and such amount shall be charged to, and paid out of, the public road and bridge fund. The application for refund herein provided for must be filed with the commissioner within twelve (12) calendar months from the date upon which the overpayment was made, and no amount shall be refunded unless the application therefor is filed within the time prescribed herein. The department shall have authority to make and issue rules and regulations relating to the procedure to be followed in filing an application for a refund hereunder and for the procedure for payment of any refund made hereunder.

(5) Also, amend House Bill 46 by striking Section 13-A in its entirety.

Joe Fine
James S. Clark
E. C. Foshee
Joe C. McCorquodale, Jr.
Tom Drake
Bill Williams

And said bill as thus amended by the report of the Committee of Conference was again read at length and passed.

And said Bill, H. 46 together with the Report of the Committee of Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Harris moved that the Senate concur in the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 46, the title of which and said Conference Report are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1976. Relating to Escambia County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 1977. Relating to Escambia County; to make it unlawful to take deer from public waters; to provide for the seizure and confiscation of property used in the taking of deer from public waters.

Also:

H. 1978. Relating to Escambia County; providing for the publication of only one annual financial statement.

Also:

H. 1979. Relating to Escambia County; providing for accounts against the county not having to be certified and sworn to.

Also:

H. 2012. To repeal Act No. 212, S. 255, approved July 25, 1963, Regular Session 1963 (Acts 1963, P. 611), entitled, "An Act To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000."

Also:

H. 2013. To provide for the compensation and method of payment of the Register of the Circuit Court of Houston County, Alabama, In Equity.

Also:

H. 2037. Relating to counties having populations of not less than 61,000 nor more than 62,000; providing further for the compensation of the members of the board of equalization and the meeting dates of such board.

Also:

H. 2060. To repeal Act No. 413, H. 879, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 431), entitled, "An Act To fix the compensation of the deputy solicitor of all counties having a population of not less than 27,000 nor more than 30,000, according to the 1960 or any subsequent federal decennial census."

Also:

H. 2038. Relating to Marion County; abolishing the Marion County Board of Revenue and creating the Marion County Commission for Marion County in lieu thereof.

Also:

H. 2061. Relating to counties having a population of not less than 23,800 nor more than 23,925, according to the most recent federal decennial census; to fix the compensation of the deputy solicitor.

Also:

H. 2077. To amend the title and Section 1 of Act No. 179, H. 518, Regular Session 1965 (Acts 1965, p. 250), which Act provides further for an expense allowance for the members of the county commissions of certain counties classified on a population basis.

Also:

H. 2086. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census: providing for additional meeting days of boards of equalization in such counties.

Also:

H. 2089. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Also:

H. 2148. To amend the title and Section 1 of Act No. 26, H. 77, Third Special Session 1965 (Acts 1965, p. 235) which authorizes the expenditure of county funds for contributions to non-profit Community Action Committees, boards and groups formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity, in certain counties classified on a population basis.

Also:

H. 2144. To amend the title and Section 1 of Act No. 111, H. 169, Special Session 1962 (Acts 1962, p. 146) which provides for additional meetings of boards of registrars in certain counties classified on a population basis.

Also:

H. 2145. To amend the title and Section 1 of Act No. 354, H. 648, Regular Session 1961 (Acts 1961, p. 373) which relates to the registration of voters and relieves the members of the board of registrars from the duty of visiting precincts or voting places in the performance of their official duties in certain counties classified on a population basis.

Also:

H. 2146. To repeal Act No. 1193, H. 1432, approved October 17, 1969, Regular Session 1969 (Acts 1969, p. 2231), entitled, "An Act To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum."

Also:

H. 2147. To repeal Act No. 735, H. 35, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1305), entitled, "An Act Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1932. To repeal Act No. 556, H. 1129, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws."

Also:

H. 1933. To repeal Act No. 321, H. 759, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 800), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body."

Also:

H. 1934. To repeal Act No. 914, H. 1300, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1645), entitled, "An Act To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting law."

Also:

H. 1935. Relating to Houston County; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department; to authorize the county governing body to prescribe the exact amount of such salaries.

Also:

H. 1936. To repeal Act No. 1240, H. 1539, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

Also:

H. 1937. Relating to Houston County; to provide for the compensation of the judge of probate in such counties.

Also:

H. 1938. Relating to Houston County; to regulate the compensation of jurors.

Also:

H. 1939. Relating to Houston County; to provide an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles.

Also:

H. 1940. Relating to Houston County; regulating the compensation of registrars and providing for payment of additional compensation to them by the county.

Also:

H. 1941. To apply to the 20th Judicial Circuit composed of Houston and Henry Counties, relating to additional compensation and method of payment of the official court reporters.

Also:

H. 1942. To amend the title and Section 1 of Act No. 390, H. 904, Regular Session 1963 (Acts 1963, p. 891), which authorizes domino games in billiard rooms in certain counties classified on a population basis.

Also:

H. 1943. Relating to Houston County; to increase the compensation of the members of the jury commission.

Also:

H. 1944. To provide for the compensation and method of payment of the Clerk of the Circuit Court of Houston County, Alabama.

Also:

H. 1945. To repeal Act No. 1241, H. 1540, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties."

Also:

H. 1946. To repeal Act No. 583, S. 647, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1069), entitled, "An Act To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

Also:

H. 1947. To repeal Act No. 557, H. 1130, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county."

Also:

H. 1948. To repeal Act No. 912, H. 1298, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1643), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws."

Also:

H. 1949. To repeal Act No. 394, H. 1017, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 770), entitled, "An Act To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000."

Also:

H. 1950. To repeal Act No. 805, H. 1016, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1449), entitled, "An Act Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent federal decennial census."

Also:

H. 1951. To repeal Act No. 558, H. 1131, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1040), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws."

Also:

H. 1952. To repeal Act No. 555, H. 1128, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1038), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws."

Also:

H. 1956. To authorize the governing body of any county having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, and the governing bodies of the municipalities in any such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating a public transit system, and related facilities including offices for any such authority, and leasing

or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, enter into contracts, acquire and dispose of properties; to exercise powers, privileges and rights necessary; to provide that such bonds shall be negotiable instruments; and to provide for the dissolution of the authority and the disposition of its property.

Also:

H. 1957. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$604.57 out of the appropriate fund in the county treasury for the relief of Homer B. Dupree.

Also:

H. 1969. To repeal Act No. 684, H. 942, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1510), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; forbidding the judge of probate of any such county to remit to the state highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof."

Also:

H. 1974. To alter, rearrange and extend the boundary lines and corporate limits of the City of Piedmont in Calhoun County.

Also:

H. 1720. To repeal Act No. 27, H. 287, approved June 25, 1965, Regular Session 1965 (Acts 1965, p. 47), entitled, "An Act To regulate the compensation of county superintendents of education in counties having populations of not less than 24,500 nor more than 24,550."

Also:

H. 1721. To amend the title and Section 1 of Act No. 612, H. 755, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment and compensation of a clerk for the sheriff in certain counties classified on a population basis.

Also:

H. 1722. To repeal Act No. 305, H. 306, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 774), entitled, "An Act To authorize the county governing body of every county in Alabama, which has a population of not less than 22,550 nor more than 24,550 according to the last or any subsequent federal decennial census, to fix the compensation of the clerk employed by the sheriff, but paid from the county treasury, within limits prescribed in this act and provide for the payment thereof in whole or in part out of the county highway and traffic control fund or out of the general fund."

Also:

H. 1723. To amend the title and Section 1 of Act No. 142, H. 508, Regular Session 1969 (Acts 1969, p. 414), which provides for compensation of members of the county board of registrars in certain counties classified on a population basis.

Also:

H. 1724. To repeal Act No. 49, H. 286, approved June 28, 1965, Regular Session 1965 (Acts 1965, p. 70), entitled, "An Act To regulate and provide for payment of the compensation of certain deputies of the sheriff in counties having populations of not less than 24,500 nor more than 24,550."

Also:

H. 1725. To repeal Act No. 63, H. 434, approved June 30, 1961, Regular Session 1961 (Acts 1961, p. 84), entitled, "An Act To fix the compensation of the county superintendents of education in all counties having populations of not less than 22,550 nor more than 24,550, according to the 1960 or any subsequent federal decennial census."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1906. To repeal Act No. 642, H. 851, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1454) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessors and tax collectors of such counties", and to provide an effective date.

Also:

H. 1907. To repeal Act No. 360, H. 370, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 502) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000; providing an expense allowance for the chairman or president of the court of county commission, board of revenue or other like county governing body", and to provide an effective date.

Also:

H. 1908. To repeal Act No. 380, H. 690, approved August 26, 1953 (Acts of Alabama 1953, Vol. I, Page 450) entitled "An Act to authorize the tax assessor and tax collector of any county having a population of not less than 57,000 nor more than 63,700 inhabitants, according to the last or any subsequent federal decennial census, which compensates its tax assessor and tax collector on a salary basis, to retain any fee, commission, percentage or other compensation authorized to be paid to them for assessing or collecting any tax due a city or town" and to provide an effective date.

Also:

H. 1909. To repeal Act No. 124, H. 250, approved July 10, 1963 (Acts of Alabama, 1963, Vol. I, Page 499) entitled "An Act to regulate further the bail bond business in counties having populations of not less than 57,000 nor more than 61,000; amending Code of Alabama 1940, Title 15, Section 201" and to provide an effective date.

Also:

H. 1910. To repeal Act No. 118, H. 146, approved August 24, 1964 (Acts of Alabama, Special Session 1964, Vol. I, Page 178) entitled "An Act to provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000" and to provide an effective date.

Also:

H. 1911. To repeal Act No. 38, H. 107, approved October 29, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 254) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the county governing bodies of such counties to reimburse the tax collectors of such counties for certain losses incurred in the routine operation of their offices" and to provide an effective date.

Also:

H. 1912. To repeal Act No. 598, H. 647, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1363) entitled "An Act to increase the compensation of each employee in the office of the clerk of the circuit court of every county having a population of not less than 57,000 nor more than 61,000; and to provide for the payment thereof;" and to provide an effective date.

Also:

H. 1913. To amend the title and Section 1 of Act No. 197, H. 606, approved July 30, 1965 (Acts of Alabama, Regular Session 1965, Vol. I, Page 280) entitled "An Act to apply only in counties of the State having populations of not less than 55,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded water; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken" so that said Act, after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1914. To repeal Act No. 687, H. 949, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1513) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census: to provide additional clerical help for the circuit court clerk", and to provide an effective date.

Also:

H. 1915. To repeal Act No. 669, S. 788, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1204) entitled "An Act relating to counties having populations of not less than 57,000 nor more than

61,500, according to the most recent federal decennial census, to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws", and to provide an effective date.

Also:

H. 1916. To amend the title and Section 1 of Act No. 373, H. 445, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 512) entitled "An Act to define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; to create a barber's commission for said counties and define the powers and duties of said barber's commission; to provide for an inspector; and to provide a penalty for the violation of the provisions hereof"; so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census; and to provide an effective date.

Also:

H. 1917. To amend the title and Section 1 of Act No. 998, S. 498, approved September 9, 1961 (Acts of Alabama 1961, Vol. II, Page 1576) entitled "An Act to provide that in all counties having populations of not less than 55,000 nor more than 60,000 inhabitants according to the 1960 Federal Decennial Census, or any subsequent Federal Decennial Census of the United States, the governing body of the county may transfer to the sheriff any supervision and control it has over county convicts" so that said Act after passage and approval of this Act by the Governor or upon its other becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1918. To amend the title and Section 1 of Act No. 975, H. 1419, approved September 12, 1969 (Acts of Alabama 1969, Vol. II, Page 1720) entitled "An Act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1919. To amend the title and Section 1 of Act No. 481, S. 547, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 940) entitled "An act relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census and to provide an effective date.

Also:

H. 1920. To repeal Act No. 638, S. 650, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1167) entitled "An act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag", and to provide an effective date.

Also:

H. 1921. To repeal Act No. 440, H. 801, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 875) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 providing an expense allowance payable from the County Treasury for the use of the coroner" and to provide an effective date.

Also:

H. 1922. To repeal Act No. 577, S. 539, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1063) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body", and to provide an effective date.

Also:

H. 1924. To repeal Act No. 480, H. 1033, approved September 6, 1957 (Acts of Alabama 1957, Vol. I, Page 662) entitled "An Act to provide further for the compensation of the circuit judge in every circuit composed of only one county having only one circuit judge and a population of not less than fifty-three thousand nor more than sixty-three thousand inhabitants according to the last or any subsequent federal decennial census" and to provide an effective date.

Also:

H. 1925. To repeal Act No. 250, H. 601, approved August 1, 1961 (Acts of Alabama 1961, Vol. I, Page 274) entitled "An Act to prohibit the taking of fish from the public waters of all counties having a population of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, with hoop or fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws" and to provide an effective date.

Also:

H. 1926. To repeal Act No. 727, H. 976, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1043) entitled "An Act fixing the compensation of the chairman of the board of revenue, court of county commissioners or other like county governing body in all counties having populations of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census", and to provide an effective date.

Also:

H. 1927. To repeal Act No. 381, H. 873, approved August 30, 1963 (Acts of Alabama 1963, Vol. II, Page 884) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties", and to provide an effective date.

Also:

H. 1928. To repeal Act No. 65, H. 48, approved March 19, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

Also:

H. 1929. To repeal Act No. 65, H. 48, approved March 19, 1965, (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

Also:

H. 1931. To repeal Act No. 553, H. 1094, approved August 29, 1969, entitled, "Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act." (Acts of 1969, p. 1037)

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

NOTICE IN WRITING

Mr. Lindsey offered the following Notice in Writing, to-wit:

"NOTICE IN WRITING"

"Notice in writing that on the next Legislative Day a motion in writing will be introduced to amend the Rules of the Senate of the State of Alabama 1971 which motion will propose to amend said Rules by deleting Rule 31(a) from the Rules of the Senate."

Which was read and ordered spread upon the Journal.

NOTICE IN WRITING

Mr. Lindsey offered the following Notice in Writing, to-wit:

"NOTICE IN WRITING"

"Notice in writing that on the next Legislative Day a motion in writing will be introduced to amend the Rules of the Senate of the State of Alabama 1971 which motion will propose to amend said Rules by deleting Rule 52 (b) in its entirety from the Rules of the Senate."

Which was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1108. To apply only to counties having a population of not less than 39,500 nor more than 41,750, according to the most recent federal decennial census; awarding to certain municipalities in such counties a portion of fines and forfeitures accruing from arrests within their police jurisdiction.

Also:

S. 1132. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Also:

S. 1137. To repeal Act No. 16, H. 2, approved March 18, 1963, First Special Session 1963 (Acts 1963, p. 85), entitled "An Act To fix the compensation of deputy solicitors of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury."

Also:

S. 1138. To amend the title and Section 1 of Act No. 58, S. 121, Special Session 1964 (Acts 1964, p. 78) which authorizes the licensing and regulation of hunting on certain hunting preserves, prescribes fees for such licenses, provides for collection and distribution thereof, and prescribes penalties for violations, in certain counties classified on a population basis.

Also:

S. 1139. To amend the title and Section 1 of Act No. 1244, H. 1545, Regular Session 1969 (Acts 1969, p. 2345) which provides further for certain fees allowed to judges of probate, in certain counties classified on a population basis.

Also:

S. 1140. To repeal Act No. 63, H. 5, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 85), entitled, "An Act To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers."

Also:

S. 1141. To amend the title and Section 1 of Act No. 1235, H. 1526, Regular Session 1969 (Acts 1969, p. 2333) which fixes the compensation of the deputy district attorney and provides for payment thereof from the county treasury, in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. St. John, Drake, Hobbie, Fite, Jones (F), Turner, Cottingham, Williams, Edwards, Smith (K), Crawford, Brassell, Crowe, Hearn, Carter, Cross and Culver:

H. 627. To provide tuition grants to resident students of the State of Alabama who are attending private accredited colleges or universities in Alabama.

Also:

By Mr. St. John:

H. 1512. To make a conditional appropriation for funding and administering tuition grants to resident students attending private colleges in Alabama.

Also:

By Messrs. Wise, Jackson and Benton:

H. 383. To provide for license tags on boat trailers; to provide for the cost thereof and to provide for the disposition of the proceeds therefrom.

Also:

By Messrs. Connell, Easters, Adams, Jackson, Owens, Wood, Bank, Mims, Warren, O'Daniel, Turner, Cottingham, Wise, Coshatt, Grey (D), Reid (R), Carnes, Wynot, Chesnut, Waldrop, Goodwin, Naramore, Timmons, Cherner, Falkenburg, Ellis, Erdreich, Wallace, Williams, Callahan, McDonald, Merrill, Culver, Hardin, Bassett, Parker (T), Benton, May, Kinsey, Agee, Brassell, Therrell, Dill, Drake, McCorquodale, Lang and Barkett:

H. 2083. To prohibit the giving of worthless checks, drafts or other written orders for money; to give definition to certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Recompiled 1958.

Also:

By Messrs. McBride, Smith (P), Stewart, Cauthen, Merrill, Mathews, Gloor and Waggoner:

H. 735. To prohibit the offering of certain courses of instruction at junior colleges, which are supported in whole or in part by State funds; and to abrogate and withdraw from the state board of education or any other board any general power or authority heretofore possessed by such board relative to the establishment or offering of any such courses at such junior colleges.

Also:

By Messrs. Smith (P), Stewart, Erdreich, Cauthen and McBride:

H. 747. To prohibit the construction or preparation therefor of additional state trade schools and state junior colleges.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 627, 1512 and 735. To the Committee on Finance and Taxation.

H. B.'s 383, 2083 and 747. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 2051. To amend Section 9 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to provide additional court costs for violations of State conservation laws or regulations which will be used for the benefit of the retirement fund.

Also:

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 811. To create the offense of false impersonation of law enforcement officers and to provide punishment for the same.

Also:

By Messrs. Taylor, Jones (F), Harris, Straiton, Hobbie and Falkenburg:

H. 434. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

Also:

By Messrs. Bank, Cottingham, Culver, Turner, Falkenburg, Robertson and Parker (T):

H. 694. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act.

Also:

By Messrs. Barkett, Hardin, McCorquodale, Drake, Easters, Connell, Mims, Wise, Jackson, Warren, Bassett, Smith (K), Crawford and Stewart:

H. 2239. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Also:

By Messrs. St. John, Drake and McDonald:

H. 2785. To amend further Section 125 of Title 12, Code of Alabama 1940, as amended, which relates to the interest rate, amount, and maturity of temporary loans made by county governing bodies in anticipation of taxes, in order to revise the amount and interest rate of such loans.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2051, 434, 694, 2239 and 2785. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 811. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hobbie, Burgess, Headley, Warren, Owens, Barkett, Easters, Culver, Bank and Robertson:

H. 1124. To amend Sections 1, 5, 7, and 8 of Act No. 515, H. B. 93, Approved July 9, 1945 (General Acts 1945, Page 734), as amended, which relates to the Employees' Retirement System of Alabama.

Also:

By Mr. Stubbs:

H. 2250. To require that any person whose driving license has been canceled, suspended or revoked by the Director of Public Safety or any court of competent jurisdiction shall pay a fee to the Department of Public Safety upon application for reinstatement of such license, and to provide that all fees so collected by the Director shall be deposited into the General Fund of the State of Alabama.

Also:

By Mr. Stubbs:

H. 2251. Relating to the furnishing of operating record by the Director of Public Safety and the cost thereof, and amending Section 3 of Act No. 704, General Acts of Alabama 1951, as amended by Act No. 707, General Acts of Alabama 1961, approved September 8, 1961.

Also:

By Messrs. Hobbie, Williams, McCorquodale and Grainger:

H. 2140. To make appropriation to the Board of Commissioner of the Alabama Peace Officers and Benefit Fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1124 and 2140. To the Committee on Finance and Taxation.

H. B.'s 2250 and 2251. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Fite, Mathews and Casey:

H. 29. To provide that any person who is an employee or retired employee of the State and covered by or retired under the State Employee Retirement System and who becomes director or other employee of any department may elect to continue or resume his participation in said retirement system, and to provide that the appropriate department may expend any funds appropriated to it for matching such employee's contributions to the retirement system under the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 29. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Collins, Therrell and Callahan:

H. 2205. Relating to explosives; prohibiting the unlawful transportation and possession thereof; prohibiting the damage of property by explosives, and the threat to do such damage, and prescribing penalties for violations of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2205. To the Committee on Commerce, Transportation and Common Carriers.

RESOLUTION

Messrs. Bailes, Cook, Vacca, Gilmore, Dominick, King and Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 100. TO COMMEND THE MEMBERS OF THE BESSEMER BOARD OF EDUCATION

WHEREAS, after much deliberation and with "heavy hearts" each member of the Bessemer City Board of Education turned in his resignation, and

WHEREAS, at the urgings of the mayor and city commission of Bessemer these men have recalled their resignation and in spite of the fact that the recent federal court orders relative to Bessemer schools are highly distasteful to them, they have agreed to remain on the board and to endeavor to open the schools on time and to do all in their power to keep the Bessemer schools operating in such manner as to comply with orders of the federal court and yet place as much emphasis as possible on quality education for every pupil enrolled in the public schools of Bessemer; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby commends each member of the Bessemer City Board of Education for their unselfish devotion to duty, their dedication to the youth of Bessemer, and their determination to make a diligent effort to provide quality education in Bessemer.

BE IT FURTHER RESOLVED That the Legislature, speaking as the duly elected representative of the people of Alabama, hereby thanks Mr. Frank House, Chairman of the Bessemer Board of Education, and Messrs. B. H. Johnson, Jr., Jason Dean, Hugh B. Harris, Jr., and A. W. Kuhn, all members of such board, for their noble effort to maintain excellent public schools despite the Supreme Court. We also hereby endorse the sentiments expressed by these men as their aims and purposes and urge all patrons of the Bessemer Public Schools to cooperate with these men to the end that the Bessemer schools can be opened and operated without violence or other unnecessary disturbances.

BE IT ALSO RESOLVED, That a copy of this Resolution be sent to each member of the Bessemer Board of Education and a copy thereof be released to the Press.

On motion of Mr. Bailes, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 46

The Senate proceeded to further consideration of the Bill, H. B. 46. The question was on the motion of Mr. Harris that the Senate concur in the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill.

**REPORT OF COMMITTEE OF CONFERENCE
ON SENATE BILL 431**

We the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, S. B. 431 have met and considered the matter referred and beg leave to report as follows:

We recommend that the following amendment be adopted by both houses and that the Bill as amended be passed.

Delete Section 2 of Senate Bill 431 in its entirety and substitute therefor the following:

"Section 2. Salary of Commissioners. The salary of the President of the Board of Commissioners shall be \$18,000.00 per annum and the salary of each associate Commissioner shall be \$15,000.00 per annum. At the expiration of the terms of the incumbent Commissioners, holding office on the date of the passage of this Act of any city to which this Act applies, the salary of the President of the Board of Commissioners shall be \$18,000.00 per annum and the salary of each Associate Commissioner shall be \$18,000.00 per annum. The salary of the President of the Board of Commissioners and the salaries of the Associate Commissioners shall be payable in equal monthly installments at the end of each calendar month out of the city treasury."

J. J. Pierce
W. T. Jones
Robert H. Wilder
Fred R. Jones
Sam W. Taylor

CONFERENCE REPORT

On motion of Mr. Pierce, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill.

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Littleton	Shelby	
Carr	Gilmore	Lybrand	Vacca	
Cook	Hammond	McLain	Wilder	
Cooper	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

Nays: —0

And said Bill, S. B. 431, as thus amended by the Conference Report, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Hawkins			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1094. To provide retirement allowances for elected officials and former elected officials of all municipalities of the state having a population of 300,000 or more according to the last and any subsequent federal census.

Also:

H. 1405. To authorize the governing body of Jefferson County, Alabama, to adopt ordinances or a fire prevention code applying only to fire districts created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.); to provide that such ordinances or code may prescribe plans and specifications for buildings, designed to prevent the occurrence, or spread, of fires in buildings, or to minimize the damages caused by fires; to authorize the governing body of such county to prevent the use of any building in conflict with any such ordinance or fire prevention code; to authorize such governing body to employ inspectors to enforce such ordinances or fire prevention code and to charge inspection fees of the owners of the property inspected; to authorize such governing body to enter into a contract with any fire district, providing for the district to make such inspections and providing for the county to pay the district for such inspections; to provide that any person violating any such ordinance or fire prevention code shall be guilty of a misdemeanor and shall be punished as provided for by Section 327, Title 15, Code of Alabama of 1940; to repeal all laws, or parts of laws, in conflict with this act; and to provide when this act shall become effective.

Also:

H. 1531. To provide for and create the Jefferson County racing commission for the regulation, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the pari-mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violations of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Also:

H. 1138. To provide office furniture, supplies, and equipment and a secretary for the District Attorney for the Thirty-seventh Judicial Circuit and to grant certain powers and duties to said secretary.

Also:

H. 1148. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries in the 37th Judicial Circuit; and to provide for the taxing and collection of law library fees as item of court costs in cases docketed in certain courts within the county.

Also:

H. 2219. Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census.

Also:

H. 2225. To alter, rearrange and extend the boundary lines and corporate limits of the City of Lanett in Chambers County.

Also:

H. 2222. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 1500 feet of any public hospital of the County, in order to provide parking for employees, hospital staff, and others having business with or visiting such hospital, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Also:

H. 2226. To fix the fee for issuance of a pistol permit by the sheriff in Chambers County and for the distribution and use of the revenue derived therefrom.

Also:

H. 2227. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as amended by Act No. 605, H. 702, Special Session 1967, (Acts 1967, p. 1394), An Act fixing the compensation of the deputy solicitor of Chambers County.

Also:

H. 2211. To alter and rearrange the boundary lines of the City of Stevenson, Jackson County, Alabama, so as to exclude certain territory now within the corporate limits of said City and annex certain other territory not now within the corporate limits of said City.

Also:

H. 2314. To amend Act No. 178, H. 21 of the 1961 Special Session (Acts 1961, p. 2147), which authorizes each county to promote its development by acquiring and leasing property suitable for certain

industrial and commercial purposes and for the purpose of financing such acquisition to issue revenue bonds and pledge to the payment of such bonds the rentals of such properties, amending the title and Sections 1, 2, 3 and 4 of such act so as to authorize counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, to acquire properties suitable for facilities for the federal government and to lease such properties to the federal government in the same manner authorized for other projects under this act; and to exempt bonds issued hereunder from the usury laws.

Also:

H. 2336. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve, maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

Also:

H. 2262. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Also:

H. 2240. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal decennial census; to designate the chairman of Solid Waste and Park and Recreation Authorities in such counties; to authorize Solid Waste and Park and Recreation Authorities in such counties to adopt by-laws.

Also:

H. 475. To amend the title and Section 1 of Act No. 329, H. 592, Regular Session 1961 (Acts 1961, p. 356), which Act imposes additional duties upon the members of the county commission and provides for compensation therefor in certain counties classified on a population basis.

Also:

H. 478. To amend the title and Section 1 of Act No. 105, H. 233, Regular Session 1969 (Acts 1969, p. 386), which Act provides for the appointment and terms of office of the directors of hospital associations in certain counties classified on a population basis.

Also:

H. 763. To amend the title and Section 1 of Act No. 338, H. 705, Regular Session 1969 (Acts 1969, p. 711), which act fixes the per diem pay for members of the board of equalization of certain counties classified on a population basis.

Also:

H. 764. To amend the title and Sections 1, 2 and 3 of Act No. 337, H. 704, Regular Session 1969 (Acts 1969, p. 709), which Act regulates and provides for the compensation of certain officers and provides for the operation of their offices in certain counties on a population basis, amending such Act relative to the population of the counties in which it applies and the amount of the compensation and clerk hire allowances.

Also:

H. 765. To amend the title and Section 1 of Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis.

Also:

H. 1884. To amend Section 2 of Act No. 52, H. 302, Regular Session 1971, approved June 30, 1971, an act relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000, and providing for the election of the commissioners, so as to provide that such commissioners shall qualify and run for specific seats on the commission.

Also:

H. 1854. Relating to counties having populations of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Also:

H. 1855. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; regulating the insuring of the public hospital and health center buildings and the contents thereof in such counties.

Also:

H. 1856. To provide for the appointment of Deputy District Attorneys for Henry County, Alabama, to re-designate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

Also:

H. 1857. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 13,200 nor more than 13,400.

Also:

H. 1858. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

H. 2031. Relating to counties having populations of not less than 15,400 nor more than 15,625, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

H. 2032. Relating to counties having populations of not less than 15,400 nor more than 15,625; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Also:

H. 1121. To amend subsection (d) of Section 262, subsection (i) of Section 262, Section 263, paragraph (1) subsection (C) of Section 279, Sections 285, 289, 292, 293 and paragraph (5) of Section 309, all being of Title 26, Code of Alabama 1940, as last amended, relating to extending coverage, increasing disability, death and medical benefits, and providing penalties for noncompliance, all pertaining to the Workmen's Compensation Law.

Also:

H. 1122. To supplement the Workmen's Compensation Act of Alabama; to provide compensation for injured workmen and dependents of deceased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2C of said chapter prescribing the liability of an employer to make compensation by way of damages for disablement or death of an employee caused by occupational disease, other than occupational pneumoconiosis and occupational exposure to radiation, which arises out of and in the course of his employment; declaring said occupational disease is to be regarded as an accident without regard to negligence or fault, if any, of the employer, and providing for acceptance of the provisions hereof by election and for the enforcement of such liability, modifying common law, contractual and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable and providing a period of limitation for filing suits on claims arising from occupational disease.

Also:

H. 5. To regulate further the rates to be charged for publication of legal notices by amending further Code of Alabama 1940, Title 7, Section 718, as amended; and by amending further Act No. 793, S. 117, Regular Session 1953 (Acts 1953, p. 1086), as amended.

Also:

H. 14. To provide that unemployment insurance fraud investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the provisions of the Unemployment Compensation Law.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1085. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Also:

H. 1509. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the assistant district attorney of the inferior court of such counties.

Also:

H. 1510. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the judge of inferior court to be set by the county commissioner of said counties.

Also:

H. 1697. To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 675. Defining abandoned motor vehicles, authorizing peace officers to remove abandoned motor vehicles from public streets, roads, highways and other public property; to provide a method for sale of abandoned motor vehicles; to provide for the distribution of the proceeds of the sale of abandoned motor vehicles and for related purposes.

Also:

H. 405. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 404. Relating to the Tenth Judicial Circuit, Bessemer Division providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

Also:

H. 736. TO AMEND ACT NUMBER 134 OF THE 1965 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA (ACTS OF ALABAMA REGULAR SESSION 1965, PAGE 201) APPROVED JULY 7, 1965, ENTITLED "AN ACT TO AUTHORIZE THE MAYOR OF ANY CITY OF THIS STATE HAVING A POPULATION OF 300,000 PERSONS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS TO EMPLOY FOR AND IN BEHALF OF SAID CITY A CHIEF ADMINISTRATIVE ASSISTANT TO THE MAYOR TO SERVE AT THE PLEASURE OF THE MAYOR."

Also:

H. 685. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization

and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Also:

H. 307. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338, H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 442. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Jefferson County Court of General Sessions: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.....

Also:

H. 363. To confer on the Probate Courts in all counties of this State which now have or may hereafter have a population of 500,000 or more, according to the latest or any subsequent Federal census, general jurisdiction and authority, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of estates and for other and additional matters of which the Probate Courts have original or general jurisdiction, in addition to those conferred by Act No. 633, page 1000, General Acts of the 1939 Regular Session; and to confer on the Judges of Probate Courts of such counties the same powers and authority which judges of the Circuit Court now have with respect to the aforesaid; to determine ownership of funds paid to the Probate Court as awards under Eminent Domain proceedings (Title 19, Section 27, Code of Alabama of 1940, as amended); to determine the reinvestment of such funds of minors and non compos mentis persons, and to determine the disposition of funds of a patient of the State Hospitals for Mental Patients which have been paid to the Judge of Probate; to provide for the pleading, practice and procedure in such matters, and for the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

Also:

H. 702. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

Also:

H. 2137. To propose an amendment to the Constitution of Alabama authorizing the Mountain Brook School District in Jefferson County to levy and collect, subject to approval of the qualified electors of the said district, a special district ad valorem tax for public school purposes in the said district.

Also:

H. 184. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Also:

H. 285. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Gray (F) and Reed (T):

H. 2679. To establish a court of limited jurisdiction in criminal cases and civil actions at law in Bullock County, Alabama; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
BULLOCK COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish a Court of Limited Jurisdiction in criminal cases and civil actions at law in Bullock County, Alabama; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

Be It Enacted by the Legislature of Alabama:

Section 1. A court of limited jurisdiction in criminal cases and civil actions at law, which shall be known as the Inferior Court of Bullock County, is hereby created and established for Bullock County, Alabama.

Section 2. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases and actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment, cognizable before the circuit court, or a county court, or justices of the peace or courts created in lieu of justices of the peace and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the state, and lawmade rules governing practice and procedure.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of ejectment or actions in the nature of ejectment or any civil actions when the matter or sum in controversy exceeds One Thousand (\$1,000.00) Dollars, nor take cognizance of any matter or proceeding in equity. The court shall not have jurisdiction of workmen's compensation cases, libel, slander, or juvenile or domestic relations cases. When the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sales contract, the amount in controversy shall, for the purpose of determining jurisdiction, be the balance of the mortgage debt or purchase price, as the case may be, or the value of the property in suit whichever may be less; and where the action is for forcible entry or unlawful detainer, the amount in controversy shall, for the purpose of determining jurisdiction, be the amount of damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgment debtors and shall exercise such jurisdiction in the same manner that is provided by law with respect to civil judgments in circuit courts. The court shall also have such other powers and authority that are, or may hereafter be, conferred upon the circuit courts, except as otherwise provided in this act.

Section 3. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury. In the trial of cases before this court, the accused shall have no right to demand a trial by jury, but the judge shall determine both the law and the facts, without the intervention of a jury, and shall award such punishment in misdemeanor cases as the character of the offense may demand, and render such judgment in other cases as in his judgment may seem right and proper, and in the trial of misdemeanor cases no statement of the offense need be made other than that contained in the affidavit and warrant of arrest.

Section 4. (a) A judge of the court herein established shall be elected by the qualified electors of Bullock County, Alabama, at the general election of 1972, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

(b) The governor shall appoint a judge of the court herein established who shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment, a qualified elector of Bullock County and duly licensed to practice law in the State of Alabama.

(d) The judge shall receive an annual salary to be paid out of the general fund of the County in equal monthly installments, as salaries of other county officers are paid, said salary to be fixed on October 1 of each year by resolution of the Bullock County Commission, and said salary shall be not less than Forty Eight Hundred (\$4,800.00) Dollars per annum, and not more than Six Thousand (\$6,000.00) Dollars per annum.

(e) The judge shall have authority to: (1) administer oaths and take acknowledgements; (2) issue search warrants; (3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace, including that of magistrates on preliminary examinations. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(f) In the absence of the regular judge, the clerk of the court may, if no special judge has been appointed, accept a defendant's written sworn plea of guilty and assess against such defendant such fines and costs as may be authorized by law; and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court.

Section 5. In the absence of, disqualification or inability of the judge of said court to act, he shall appoint in writing a special judge, who shall have full power to act for and in the place of the regular judge, said person so appointed shall at the time of his appointment be a practicing attorney residing in the jurisdiction of said court. In case the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court, and shall not have appointed a special judge to act, it shall be the duty of the judge of the Third Judicial Circuit upon the request of the clerk of said court to appoint a special judge, and in either

event, said special judge shall receive the same compensation as the regular judge of said court during the time he serves. If, however, illness, disqualification or inability to serve by the regular judge shall exceed thirty days in each calendar year, the compensation of the special judge for all time served by him in excess of thirty days shall be deducted from the salary or compensation of the regular judge of said court. If during the tenure of a judge of said court he does not use thirty days during a calendar year, the balance of the thirty days may accumulate to a total of ninety days.

Section 6. The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Tuesday in each month at the Courthouse for the trial of criminal cases, and on the first Friday in each month at the Courthouse for the trial of civil actions at law. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

Section 7. (a) The circuit clerk of Bullock County shall be the ex-officio clerk of this court. In addition to his regular fees, commissions or compensation, he shall be entitled to receive as compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter, be allowed to circuit clerks in the State of Alabama subject to the limitations of Section 15 (b) hereof. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business, subject to obtaining purchase orders from the Chairman of the Bullock County Commission. Before entering upon the performance of his duties as clerk of this court, he must give bond as required by law for clerks of county courts. He shall have the authority to appoint a deputy.

(b) It shall be the duty of the Clerk to keep all the records, files and dockets of the Court in an orderly manner and to perform all other duties required by the judge.

(c) The Clerk shall have power and authority to: (1) administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including affidavits, summonses, subpoenas, writs, executions, commitments and releases making same returnable to the court hereby established; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of courts.

Section 8. The Deputy District Attorney shall prosecute for the state all criminal cases commenced in said court and shall receive as additional compensation therefor a salary not to exceed \$100.00 per month, the amount of such additional compensation to be fixed annually on October 1 by the Bullock County Commission, to be paid out of the general fund.

Section 9. (a) Except as otherwise provided in this act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed

by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

(c) Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama 1940, may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(d) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27 of Title 7, Code of Alabama 1940, except that the garnishee shall appear and file his answer within fifteen days after the service on him of process or garnishment and the process shall so recite.

(e) The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama 1940 may be had in this court as in circuit courts.

Section 10. Execution may be issued on the judgment of this court and the revivor thereof had and actions thereon maintained in the same manner and for the same length of time and in accordance with the same procedure as is or may be provided by law with respect to judgments of the circuit court, provided that the scire facias to revive any judgment in said court need not be served for any greater length of time than is provided herein with respect to service of the summons, and provided further that an execution from said court need not have thereon an itemized statement of the bill of costs. The judgment of this court shall be subject to registration in the same manner and in accordance with the same procedure as is or may be provided by law for the registration of judgments of the circuit court, and the liens thereof shall attach and execution be issued thereon in the same manner and to the same extent and for the same length of time as is or may be provided by law with respect to circuit court judgments.

Section 11. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge, or the clerk of the court, or the district attorney or the deputy district attorney who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty or upon sworn complaint made as prescribed by Code of Alabama 1940, Title 13, Section 327. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The Clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 12. The sheriff of Bullock County shall be the officers of said court and shall execute the processes from said court anywhere within Bullock County and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to process issuing from the courts of justices of the peace and inferior courts created in lieu of justices of the peace in said county. All writs of restitution or eviction shall be served by the sheriff.

Section 13. The sheriff shall attend the sessions of the court in person or by deputy. He shall execute writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 14. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this state may punish for contempt, by fine not exceeding fifty dollars (\$50.00) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 15. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses the court shall have authority to tax costs and commissions for the use of the officers of the court as follows: (1) In each civil action at law the same as the circuit courts; (2) In each criminal case the clerk shall receive a fee of \$5.00, which fee shall be in lieu of all fees provided by Title 11, Section 89 (2), Code of Alabama 1940 and no solicitor's or district attorney's fees shall be taxed or collected.

(c) A trial tax of one dollar (\$1.00) shall be collected in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00); in every other civil action at law a trial tax of two dollars (\$2.00) shall be collected and in every criminal case a trial tax of \$5.00 shall be collected. These trial taxes shall be paid into the county treasury.

(d) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Bullock County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Bullock County, Alabama.

Section 16. The judge of this court shall make any and all necessary rules for the conduct of the court and the officers thereof, for the filing and trying of cases, for the distribution and service of the processes of the court and generally with respect to the duties of the various officers of the court in their relation to the court, the authority herein specifically granted not to be construed as limiting authority generally and usually exercised by judges in making and enforcing the rules of the court.

Section 17. The said court shall have the power to set aside, vacate or modify its judgments upon motion made in writing within five days after the rendition of same, which said motion must be promptly determined.

Section 18. Any party desiring to appeal shall give bond with sureties to be approved by the clerk conditioned to pay all costs which

may be taxed against him in the circuit court. If the judgment appealed from is for the payment of money or for recovering of personal property and the party appearing desires to have the judgment superseded he shall give bond with sureties to be approved by the clerk and payable to the party or parties in whose favor the judgment was rendered and in such penalty as the judge may prescribe conditioned to pay and satisfy such judgment and costs as may be awarded and taxed against him on the trial of the case in the circuit court. All such bonds shall be filed with and approved by the clerk within five days from the rendition of the judgment from which appeal is taken. This section shall not be applicable to judgments in forcible entry and unlawful detainer cases.

Section 19. Appeals from judgments of said court to the circuit court in cases of forcible entry and unlawful detainer shall be taken within the same time and in the same manner and upon the same conditions with respect to bonds and surety as are applicable to appeals in like cases from justices of the peace courts.

Section 20. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided: (1) If the case is a civil case, the appeal or certiorari lies to the circuit court of Bullock County and shall be governed by Article 6 of Chapter 8, Title 13, of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code of Alabama 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars (\$100.00) the issues shall be made up as provided by Code, 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. (2) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the Code of Alabama 1940, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code of Alabama 1940, Title 13, Section 326.

Section 21. It shall be the duty of the clerk to issue an execution in all judgments rendered in said court after five days from the entry thereof and place the same in the hands of the sheriff or other officer of the court who shall return such execution within sixty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom the process issued out of which said execution can be satisfied in whole or in part.

Section 22. If it shall appear to the clerk that in any case where an execution has been returned unsatisfied as to the costs of said cause and in the opinion of the clerk said costs can be collected by an alias execution, the clerk may issue such alias execution and may direct the sheriff or constable as to what property can be levied upon to satisfy said judgment, and the clerk may issue in such cases such other and further execution as he may deem necessary to enforce payment of costs against any party liable to execution for costs whether plaintiff or defendant.

Section 23. When in any case execution against the defendant is returned "No property found" execution may issue against the plaintiff, in the name of the clerk, for all costs created by him in obtaining his judgment and attempting to collect the same.

Section 24. The judge of said court is hereby authorized and empowered to perform marriage ceremonies and collect and retain as

part of the prerequisites of his office the fees which are now or may be allowed by law.

Section 25. In addition to the power and jurisdiction herein conferred upon said court it shall have and is hereby given the authority and jurisdiction to sentence to perform hard labor for the County of Bullock for the payment of fine and costs in the same manner and to the same extent as the circuit courts of this state have authority and jurisdiction to do.

Section 26. The judge of this court shall be furnished by the secretary of state, free of charge, a complete set of the Code of Alabama, together with the current pocket supplements thereto; and such Code shall be kept up to date.

Section 27. If the defendant fails to appear as required by his bond said court shall enter a forfeiture against him and his sureties, and said court shall have the authority to issue and shall cause to issue scire facias to the bondsmen which shall be returnable in not less than twenty days from the issuance date, and upon final hearing said court shall have the authority to pass upon the forfeiture and to make same final, or to take such other action as the circuit court of said county may be authorized to take in case of appearance bonds in said circuit court. Said judge shall issue an alias warrant for the arrest of the defendant.

Section 28. The judge of said court has the power and authority to require the sheriff of this county, or one of his deputies to attend upon the sessions of said court; and shall have all the power and authority inherent in the judge of a court of law and conferred by general statutes of the state in reference to bonds, commitments and recognizances.

Section 29. If the defendant fails to appear as required by his bond and a forfeiture is taken, said forfeiture shall conform as near as practicable to the form of circuit court of this state.

Section 30. If it appears to the court that any prosecution in said court is frivolous or malicious the court shall after hearing the facts render summary judgment and tax the prosecutor or person who made the complaint or affidavit with the costs. When the costs are imposed on the prosecutor or person who made the complaint or affidavit he may confess judgment for the same with good and sufficient sureties, and failing to do so or presently to pay the same, such person must be imprisoned in the county jail or sentenced to hard labor for Bullock County for the payment of same for such a term as may be required to pay the same, not to exceed ten days.

Section 31. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 32. All laws or parts of laws which conflict with this act are repealed.

Section 33. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law for the purpose of authorizing the appointment by the Governor of a judge for the court hereinabove provided for; but the act shall not become fully operative, nor shall the court be established until a judge therefor has been appointed or elected as hereinabove provided and has qualified. Upon the qualification of a duly appointed judge the court shall thereupon be established and this act shall become fully operative.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Garner, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

W. H. GARNER, SR.

Sworn to and subscribed before me July 23, 1971.

R. E. L. COPE,
Notary Public.

Also:

By Messrs. Cuiver, Parker (T), Robertson and Bank:

H. 2707. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Also:

By Mr. Robertson:

H. 2724. Relating to the City of Tuscaloosa in Tuscaloosa County; providing for the election by popular vote of members of the city board of education; and to prescribe their terms and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Tuscaloosa in Tuscaloosa County; providing for the election by popular vote of members of the city board of education; and to prescribe their terms and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of education of the City of Tuscaloosa shall be elected at the regular election for other municipal officers in the year 1973 and at such municipal elections each four years thereafter. They shall assume the duties of their office on the same date that other municipal officers elected at the same election assume their offices and shall hold office for four years and until their suc-

cessors have been elected and qualified. Places on the board of education shall be designated and numbered one through five. A person seeking election and qualifying as a member of said board shall designate by number the place on such board for which he is candidate and it shall be so stated on the ballot. The city governing body shall provide for the holding of the election authorized herein and for the payment of the expenses of such election.

Section 2. Each member of the board of education elected under the provisions of this act shall receive compensation of Fifty dollars (\$50.00) per month paid from the city school fund in the manner provided for paying compensation out of such school funds.

Section 3. Except as herein provided the board of education of the City of Tuscaloosa shall in all respects be governed by the general law relative to city boards of education.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, August 5, August 12, and August 19, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 19, 1971.

LAJUNE BURNETT,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 2760. To provide that any incorporated municipality in counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census, shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Also:

By Messrs. Agee and McCorquodale:

H. 2783. Relating to counties having a population of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census; regulating the keeping of records in the Circuit Court of such counties; eliminating the recording of certain documents in what is commonly designated "final record books", and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safekeeping of such final records.

Also:

By Messrs. Gray (F) and Reed (T):

H. 2789. Relating to Macon County: To create and establish in Macon County in lieu of the present Inferior Court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Macon County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the present Inferior Court and juvenile Court of Macon County; and providing for the transfer and trial of cases pending in the present Inferior Court of Macon County and in the juvenile court of Macon County, at the time this act takes effect, to the Court of Common Pleas of Macon County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced at the present session or any called or Special Session, or regular session in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Macon County: To create and establish in Macon County in lieu of the present Inferior Court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Macon County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the present Inferior Court and juvenile court of Macon County; and providing for

the transfer and trial of cases pending in the present Inferior Court of Macon County and in the juvenile court of Macon County, at the time this act takes effect, to the Court of Common Pleas of Macon County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Inferior Court Created. There is hereby established in Macon County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Court of Common Pleas of Macon County, Alabama." It shall be in lieu of the present Inferior Court and Juvenile Court of said county which are hereby abolished.

Section 2. Jurisdiction. (a) Except as provided in Subsection (b) following, the court shall have the power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment, or actions in the nature of actions in ejectment), cognizable before the circuit court, or a county court, or a juvenile court, or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to exercise general superintendence of justice courts, and to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds three hundred dollars (\$300.00), not take cognizance of any matter or proceeding in equity.

Section 3. Judge. The present judge of the Inferior Court of Macon County shall be the judge of the Court of Common Pleas of Macon County and shall hold office until another judge is elected and qualified in the general election of 1972. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. He shall not be under the age of 25 and shall have resided in Macon County more than 12 months.

(b) The judge shall, before entering upon the discharge of the duties of the office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Macon County, learned in law, and licensed to practice law in this State. Neither the judge nor his partner shall practice in any criminal case in any court in Macon County, Alabama, in which the amount involved is \$300.00 or less, exclusive of interest, and the judge shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(c) The judge shall receive an annual salary of \$6,000.00, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(d) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, habeas corpus, and all

other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat returnable to a court of proper jurisdiction; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace, including that of magistrates on preliminary examinations.

(e) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. Sessions. (a) The Court of Common Pleas of Macon County, Alabama, shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse. Regular sessions for the trial of criminal cases shall be held on the first Monday in each month, and on the third Monday of each month there shall be a call of the docket of the court for the handling, trial and disposing of all criminal cases where the defendant has been confined in jail for five days or more and has failed to make bond, and of such other criminal cases in which the defendant shall request trial in time for the witnesses to be summoned and caused to appear at the trial. On the first Tuesday after the first Monday and the first Tuesday after the third Monday in each month there shall be a session of said court and a call of the docket of said court for the handling, trial and disposing of civil cases. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business. The judge may fix reasonable hours for the holding of court.

(c) The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit court.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him are required by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process under Section 8 (b) the fees shall be as there stated.

(c) A trial tax of two dollars (\$2.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

Section 8. Criminal Prosecutions. (a) Prosecutions may be commenced in such courts upon the sworn complaint made to the judge

of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code of Alabama 1940, Title 13, Section issued shall so recite.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in inferior courts; (4) in every other criminal case, the same as in county courts, including fees as provided by Sections 86 and 87 of Title II of Code 1940, except that fees for cases provided for hereinafter 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All Warrants issued in Macon County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama 1940, Title 36, shall be returnable to the Court of Common Pleas and shall be there tried. Except as to the trial tax herein provided, the court costs in such cases shall be the same as in the courts of justices of the peace.

(c) Solicitor. The present solicitor of Macon County shall be the solicitor of the Court of Common Pleas of Macon County, shall attend all sessions of said court and do and perform all duties of a solicitor therein, and in addition shall attend and represent the state at all preliminary hearings therein, and shall do and perform all duties required of deputy solicitor by Code of Alabama 1940, Title 13, Section 256. The said county solicitor shall hold office until another solicitor is elected and qualified in the general election in 1972, and each four years thereafter, on the first Monday, after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(d) The solicitor shall receive an annual salary of \$6,000.00, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided. 1. If the case is a civil case, the appeal or certiorari lies to the circuit court of Macon County and shall be governed by Article 6 of Chapter 8, Title 13, of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264; or at the option of the appellant the appeal lies to the Court of Appeals, except as to actions involving possession of lands, and shall be governed by Article 1 of

Chapter 3, Title 13 of the 1940 Code. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars (\$100.00) the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. 2. If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320; or at the option of the appellant to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. (a) The circuit clerk of Macon County shall be the clerk of the court herein established. In addition to his regular fees, commissions and compensations, the clerk shall receive for such services the sum of \$600.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county. He shall have authority to purchase at county expense such records, stationary, office supplies and equipment as may be necessary to conduct the court's business and supply the same for the judge and for the solicitor. He shall keep a seal, which shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of the Court of Common Pleas of Macon County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) to approve bonds in civil and criminal cases including appeals bonds; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks of county courts.

Section 12. Transfer of Pending Cases. All cases and actions pending in the county court and in the juvenile court on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished courts, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. Severability. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. Repealer. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. Effective Date. This Act shall become effective upon the first day of the first month after its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, August 5, August 12, and August 19, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me Aug. 23, 1971.

ALICE M. WHITE,
Notary Public.

Also:

By Mr. Turnham:

H. 2799. To extend the boundary lines of the City of Auburn, in Lee County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA
LEE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Auburn, in Lee County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Auburn, in Lee County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

(a) The north half ($\frac{1}{2}$) of Section 16, the north half ($\frac{1}{2}$) of Section 17, and the North half ($\frac{1}{2}$) of Section 18, all in Township 19 North of the Pensacola Base Line and in Range 26 East of the St. Stephens Meridian.

(b) The north half ($\frac{1}{2}$) of Section 13, the north half ($\frac{1}{2}$) of Section 14, the southwest quarter ($\frac{1}{4}$) of Section 14, the west half ($\frac{1}{2}$)

of Section 23, the west half ($\frac{1}{2}$) of Section 26, the west half ($\frac{1}{2}$) of Section 35, all of Section 27, and all of Section 34, all in Township 19 North of the Pensacola Base Line and in Range 25 East of the St. Stephens Meridian.

(c) All of Section 3, all of Section 10, all of Section 11, all of Section 12, the south half ($\frac{1}{2}$) of Section 1, the northwest quarter ($\frac{1}{4}$) of Section 2, and the south half ($\frac{1}{2}$) of Section 2, all in Township 18 North of the Pensacola Base Line and in Range 25 East of the St. Stephens Meridian.

(d) All of Section 7, the south half ($\frac{1}{2}$) of Section 4, the south half ($\frac{1}{2}$) of Section 5, and the south half ($\frac{1}{2}$) of Section 6, all in Township 18 North of the Pensacola Base Line and in Range 26 East of the St. Stephens Meridian.

Section 2. This Act shall become effective on the 30th day of September, 1971, after its passage and approval by the Governor, or if this act is passed and approved by the Governor subsequent to the 30th day of September, 1971, then the same shall become effective immediately upon its passage and approval by the Governor.

AFFIDAVIT OF PUBLICATION

I, Neil O. Davis, Publisher, of The Auburn Bulletin published weekly at Auburn, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published in the regular and entire issue of said newspaper and not any supplement thereof, for 4 consecutive weeks, commencing with the issue dated July 8, 1971 and ending with the issue dated July 29, 1971.

NEIL O. DAVIS.

Subscribed and sworn before me this 19th day of August, 1971.

ALICE M. WHITE,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2679, 2707, 2724, 2760, 2783, 2789 and 2799. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. May:

H. 2761. To prescribe qualifications for the office of Coroner of counties having a population of not less than 34,875 nor more than 36,000 according to the most recent Federal decennial census.

Also:

By Messrs. McDonald and St. John:

H. 2781. To amend the title, Section 1 and Section 2 of Act No. 806, H. 1018, Regular Session 1969 (Acts 1969, p. 1450), which Act authorizes the district attorney of one county with a certain population and two courthouses to appoint a secretarial assistant and provide for said duties and compensation, compensation to be paid out of county general funds.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2782. Authorizing the district attorney of the Twenty-seventh Judicial Circuit to appoint an assistant district attorney; to prescribe the powers, duties and compensation of such assistant; and to provide for the payments of his compensation out of the general fund of the county.

Also:

By Mr. Naramore:

H. 2784. To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Carbon Hill, Alabama, in the County of Walker, in said State, be and the same hereby are altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Walker and included within the following boundaries, to-wit:

Beginning at the southeast corner of the $W\frac{1}{2}$ of Section 29-Twp. 13 South Range 9 West, Walker County, Alabama; thence north along the east line of said $W\frac{1}{2}$ of section 29 to the northeast corner thereof; thence continue along the east line of the $W\frac{1}{2}$ of Section 20-T13S-R9W to the northeast corner of said one-half section; thence west along the north line of said $W\frac{1}{2}$ of sec. 20 to the northwest corner thereof; thence west along the north line of the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ section 19-T13S-R9W to the northwest corner of said forty; thence north along the east line of the $W\frac{1}{2}$ of $SE\frac{1}{4}$ Section 18-T13S-R9W to the northeast corner of said eighty; thence west along the north line of the $W\frac{1}{2}$ of $SE\frac{1}{4}$ and continue along the north line of the $E\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 18 to the northwest corner of said eighty; thence south along the west line of said $E\frac{1}{2}$ of $SW\frac{1}{4}$ to the southwest corner thereof; thence west along

the north line of Section 19-T13S-R9W to the northwest corner of said section; thence west along the north line of Section 24-T13S-R10W to the northwest corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said section 24; thence south along the west line of the E $\frac{1}{2}$ of NW $\frac{1}{4}$ and the west line of the E $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 25-T13S-R10W to the southwest corner of said eighty; thence east along the south line of SW $\frac{1}{4}$ Sec. 24 to the southwest corner of said eighty; thence south along the west line of the E $\frac{1}{2}$ of NW $\frac{1}{4}$ and the west line of the E $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 25-T13S-R10W to the southwest corner of said eighty, thence east along the south line of said section 25 to the southeast corner thereof; thence east along the south line of section 30-T13S-R9W to the southeast corner of said section 30; thence east along the south line of the W $\frac{1}{2}$ of Sec. 29-T13S-R9W to the southeast corner of said one-half section which corner is the point of beginning.

Sec. 2. That the boundaries set out in Section 11 of this Act be and the same are hereby established as the corporate limits of the City of Carbon Hill, Walker County, Alabama, and all the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Carbon Hill, Walker County, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 4. That this Act shall take effect immediately upon its passage and approved by the Governor.

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared H. S. PRINCE, JR., PUBLISHER, of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: AUGUST 3, AUGUST 10, AUGUST 17 and AUGUST 23, 1971.

H. S. PRINCE, JR.

Sworn and subscribed to before me, This 23rd day of AUGUST 1971.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Naramore and Crowe:

H. 2787. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority, and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor,

and the income and properties of the Authority; and authorizing any municipality in such counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

By Messrs. Parker (T), Culver and Bank:

H. 2650. Applicable to counties having a population of not less than 115,000 and not more than 150,000 inhabitants according to the last or any succeeding Federal census; to authorize the incorporation in each such county of one or more public corporations for public hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors and its officers and providing for their terms of office; to specify the qualifications of such members, the powers and procedure of such board of directors, and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties, revenues and receipts as security therefor; to provide for the priority of such pledges; to provide that such securities shall be solely an obligation of such corporation; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, all instruments executed as security therefor, all conveyances to such corporation, and the income and properties of such corporation; to authorize the investment of fiduciary funds in securities of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation, without consideration or election therefor, hospitals, other public health facilities, and funds raised or allocated for hospital purposes and to provide that this act shall be independent and cumulative.

Also:

By Mr. Snell:

H. 2464. Relating to taxation; to amend Title 51, Code of Alabama 1940, as heretofore amended, so as to exempt from ad valorem taxation certain raw materials used in manufacture of textile products.

Also:

By Mr. St. John:

H. 1989. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or

mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, parties to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

Also:

By Mr. St. John:

H. 1990. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2761, 2781, 2782, 2784, 2787 and 2650. To the Committee on Local Legislation No. 1.

H. B.'s 2464, 1989 and 1990. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Culver, Bank, McCorquodale, Callahan and Mims:

H. 748. Further amending Code of Alabama 1940, Title 46, Section 297 (22p); relating to the practice of podiatry; bringing the definition of "surgical treatment" more in line with the functions and treatments that a podiatrist is qualified to perform, in respect to the training and educational requirements set out by the existing law.

Also:

By Messrs. Ellis, Smith (P), McCluskey and Bowers:

H. 2067. To further amend Section 3 of Act No. 574 of the 1963 Regular Session of the Legislature of Alabama, approved September 16, 1963, entitled "To provide further for assistance to blind persons" as heretofore amended.

Also:

By Messrs. Naramore, Crowe, Drake and Flippo:

H. 1762. Relating to Water Safety; changing the name of the Division of Water Safety of the Department of Conservation to "Division of Marine Police"; granting additional powers to the law enforcement personnel of said Division.

Also:

By Messrs. Therrell, Mims, Hearn, Bank, Wood, Perloff, Robertson, Grey (D), Reid (R), Downing and Collins:

H. 2210. To provide for holding a state-wide advisory referendum election at which there shall be referred to the electorate for advice concerning freedom of choice in public schools.

Also:

By Messrs. Owens and Lyons:

H. 994. To create the Governor's Mansion Advisory Board, hereinafter referred to as Advisory Board, to define its duties with regard to the furnishing, refurbishing and up keep of the Governor's Mansion, and to make an appropriation therefor.

Also:

By Messrs. Ellis, Smith (P), McCluskey and Bowers:

H. 2068. To provide further for assistance to blind persons and to assure that no child shall be denied assistance under Act No. 574 of the 1963 Regular Session of the Legislature of Alabama, approved September 16, 1963, as amended, by reason of age.

Also:

By Messrs. Callahan, Lyons, Therrell and Straiton:

H. 1984. To amend Sections 2, 9, 12 and 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, as amended, which pertains to the regulation, control and supervision of the drilling, production and use of oil and gas in the State of Alabama.

Also:

By Messrs. Bowers and Boutwell:

H. 1074. To provide that any municipality of the state may authorize any policeman or other employee of such municipality to assist the policemen or other employees of any other municipality of the state in the performance of undercover work in such other municipality or its police jurisdiction for the purpose of enforcing the laws of the state or ordinances of such other municipality relating to the illegal possession, use, sale or disposition of narcotic drugs, marijuana or any other drug enumerated in Section 256 of Title 22, Code of Alabama of 1940, as amended or the illegal possession or sale of alcoholic or malt beverages when such aid is requested in writing on behalf of such other municipality by the Mayor, or other Chief Executive Officer thereof, and to prescribe the conditions under which such undercover work may be performed.

Also:

By Messrs. Stokes, Collins, Downing, Callahan, Wood, Lyons, Therrell and Nettles:

H. 974. To amend Title 51, Section 223 Code of Alabama, 1940 so as to exempt tax collectors from filing an itemized report on the First day of January of each year and remitting five days thereafter.

Also:

By Messrs. Culver, Parker (T), Robertson and Adwell:

H. 1399. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 748. To the Committee on Health.

H. B.'s 2067, 2068, 1984, 974 and 1399. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1762. To the Committee on Conservation.

H. B.'s 2210 and 994. To the Committee on Finance and Taxation.

H. B. 1074. To the Committee on Municipal Government.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the Resolution:

H. J. R. 145. CREATION OF A FINE ARTS HIGH SCHOOL.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Crowe, Robertson, Naramore, Bank, Culver and Burgess:

H. J. R. 194. DEPLORING THE DESTRUCTION OF SCHOOL BUSES IN PONTIAC, MICHIGAN AND REQUESTING PRESIDENT NIXON TO RESTORE LAW AND ORDER IN THAT CITY.

WHEREAS it is both distressing and alarming to learn that ten school buses have been blown up in Pontiac, Michigan as a result of a federal court ordered integration plan; and

WHEREAS the Pontiac school board, having warned of a "foreseeable disaster", has opposed an integration plan which would involve

busing about 8,000 of the city's 24,000 public school pupils out of their neighborhoods to achieve racial balance; and

WHEREAS the federal courts further imply that the lengthy time spent riding buses and attending schools in neighborhoods away from their own is far more valuable than any attempt that might be made to improve neighborhood schools; and

WHEREAS these tragically ridiculous tenets of the federal courts have resulted in complete disruption of school systems throughout our country and are deeply resented by serious educators and thoughtful elements of both races; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That President Nixon is hereby respectfully requested to use whatever means necessary and at his disposal to bring law and order to the City of Pontiac, Michigan and to provide for the children of that area an education, to which they are entitled, free from danger to their lives and well-being.

RESOLVED FURTHER, That copies of this resolution be sent to President Nixon, to the Department of Justice, to the Department of Health Education and Welfare, to the Attorney General of the United States and to the Presiding Officers of each House of Congress.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 194, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Drake, Adwell, Agee, Bank, Bassett, Benton, Boles, Burgess, Collins, Connell, Cottingham, Crawford, Crowe, Dill, Downing, Falkenburg, Gloor, Grainger, Grey (D), Hardin, Headley, Hearn, Hobbie, Jackson, Jones (E), Jones (F), Kinsey, Lang, McCorquodale, Mathews, Meeks, Merrill, Mims, Naramore, O'Daniel, Owens, Pruitt, Robertson, St. John, Smith (K), Straiton, Therrell, Timmons, Turner, Turnham, Wallace, Warren, Weeks, Williams, Wise:

H. J. R. 195. WHEREAS, the Supreme Court of the United States in the case of Swann v. Charlotte-Mecklenburg Board of Education said:

"An objection to transportation of students may have validity when the time or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process."

and,

WHEREAS, the Federal courts in Alabama have issued court orders which require the massive busing of many students from their neighborhoods to schools which are located many miles from their homes; and

WHEREAS, the parents and guardians of all children in the State are more deeply concerned with their children's health, safety and welfare than any other persons and are far more concerned with the quality of the educational training received by their children than any other persons; and

WHEREAS, certain parents and guardians of children have attempted to enroll their children in schools other than those to which their children were assigned by school boards acting under Federal court orders because these parents and guardians raised objection to the transportation of their children for the reason that the time or distance of travel required is so great as to risk either the health or safety of their children; and

WHEREAS, certain school superintendents have threatened prosecution of parents, guardians and children in instances where the children have sought to attend schools they attended the past school year; or the school of their choice; and

WHEREAS, there are pending in the Legislature bills to authorize parents and guardians to make a determination as to whether or not the time or distance of travel unduly increases the risk to the health, safety, or lives of said children and to authorize such children to be enrolled in the school that they attended last year, or the school of their choice; and

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That This Body does hereby lend its support and encouragement to all parents, guardians, and pupils, who are required to be bused out of their neighborhoods and to schools far distant from their surroundings, that they make application for enrollment in the schools that they attended last year, or the school of their choice, and it is the consensus of this Legislature that no parent, guardian, or student shall be prosecuted for trespass or any other offense for enrolling in a school they attended last year or the school of their choice. It is further the consensus of this Legislature that all such students be furnished with free textbooks and other supplies and be given full credit for all courses taken the same as the other students originally assigned to such school.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the Governor of Alabama, the State Superintendent of Education, the Members of the State Board of Education, the County and City Superintendents of Education, and to all District Attorneys and County Attorneys.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 195, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 191. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Thursday, September 2, 1971, and that when they adjourn on Thursday, September 2, 1971, they adjourn without per diem pay to meet again on Tuesday, September 14, 1971, and that when they adjourn on Tuesday, September 14, 1971, they adjourn to meet again on Thursday, September 16, 1971,

and that when they adjourn on Thursday, September 16, 1971, they adjourn to meet again on Thursday, September 23, 1971;

provided, however, that the provisions herein with respect to forfeiture of per diem shall not apply to the members of the House of Representatives representing counties having populations of not less than 13,700 nor more than 14,300.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 191, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF H. B. 46

The Senate proceeded to further consideration of the Bill, H. B. 46. The question was on the motion of Mr. Harris that the Senate concur in the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill.

On motion of Mr. Bailes, further consideration of the motion to concur was postponed temporarily.

FURTHER CONSIDERATION OF S. B. 917

The Senate proceeded to further consideration of the Bill, S. B. 917. The question was on the motion of Mr. Lybrand that the motion to reconsider be postponed until the Thirty-fourth Legislative Day.

And on motion of Mr. Pelham, further consideration of the motion of Mr. Lybrand was postponed by unanimous consent to the Thirty-third Legislative Day, and further, on motion of Mr. Pelham, unanimous consent was granted that Senate Rule 31 A would not apply.

On motion of Mr. Pelham, the Harris motions to reconsider the votes by which the Bills, S. B.'s 926 and 1066, were passed (which said motions are set out in the Journal of the Senate for the Thirtieth Legislative Day), were also postponed to the Thirty-third Legislative Day, under the same agreement relative to Senate Rule 31A.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1169. To provide further for the retirement of highway patrolmen, state troopers and other law enforcement officers of the State Department of Public Safety; to allow such officers to retain their badges, pistols, and certain other equipment upon retirement.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 1169, to-wit:

SENATE JUDICIARY COMMITTEE AMENDMENT TO SENATE BILL 1169

Amend Section 1 of Senate Bill 1169 to read as follows:

Section 1. On or after January 1, 1971, any person who, at the time of his retirement, is employed by the State Department of

Public Safety as a highway patrolman, state trooper, or other law enforcement officer shall receive as a part of his retirement benefit, without cost to him, his badge, pistol and such other equipment as the department may designate.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Givhan	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Clark	Harris	McLain	Shelby
Cook	Hawkins	Malone	Vacca
Cooper	Horne	Noonan	Weaver
Dozier	Jones	O'Bannon	Wilder
Edington			

—32

Nays:

—0

And said Bill, S. B. 1168, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0

Yeas:

Messrs.:	Foshee	Lindsey	Owen
Bailes	Givhan	Littleton	Pelham
Branyon	Hammond	Lybrand	Pierce
Carr	Harris	McLain	Register
Clark	Hawkins	Malone	Shelby
Cooper	Horne	Noonan	Vacca
Edington	Jones	O'Bannon	Weaver
Fine	King		

—29

Nays:

—0

The Bill:

S. 271. To amend Section 89, Title 36, Code of Alabama 1940, as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, nine inches.

was taken up.

The Standing Committee on Agriculture reported the following substitute for the Bill, S. B. 271, to-wit:

SUBSTITUTE TO S. B. 271

A BILL TO BE ENTITLED AN ACT

To amend Section 89, Title 36, Code of Alabama 1940, as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, nine inches.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 89, Title 36, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 89. Size and weight of vehicles and loads. It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following provisions:

(a) Width. No vehicle shall exceed a total outside width, including any load thereon, of eight feet. No vehicle shall be driven or drawn upon a highway with more than four animals abreast. No passenger vehicle shall carry any load extending beyond the line of the fenders. No vehicle hauling forest products shall have a load exceeding 102 inches in width, and no vehicle hauling bales of cotton shall have a load exceeding 105 inches in width, provided, however, these limits shall not be permitted on any interstate or defense highways where such limits are prohibited by federal statute.

(b) Height. No vehicle or semitrailer shall exceed in height thirteen and one half (13½) feet.

(c) Length. No vehicle shall exceed in length forty (40) feet, except that the length of semitrailer trucks, including any part of the body or load, shall not exceed fifty-five (55) feet. No vehicle operated on a highway shall carry any load extending more than a total of five feet beyond both the front and rear, inclusive, of the vehicle.

(d) Weight. (1) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed eighteen thousand (18,000) pounds, or such other weight, if any, as may be permitted by federal law to keep the state from losing federal funds.

(2) For the purpose of this section, an axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.

(3) Subject to the limit upon the weight imposed upon the highway through any one axle as set forth herein, the total weight with load imposed upon the highway by all the axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table:

Distances in feet between first
and last axles of vehicle or
combination of vehicles.

Maximum load in pounds
on all the axles.

4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	34,500
10	36,400
11	38,300
12	40,200
13	42,100
14	44,000

15	45,200
16	46,300
17	47,300
18	48,400
19	49,400
20	50,500
21	51,500
22	52,600
23	53,600
24	54,600
25	55,600
26	56,600
27	57,600
28	58,600
29	59,600
30	60,500
31	61,500
32	62,500
33	63,500
34	64,500
35	65,500
36	66,500
37	67,500
38	68,500
39	69,500
40	70,500
41	71,500
42	72,500
43 and over	73,280

Except as provided by special permits, no vehicle or combination of vehicles exceeding the gross weights specified above shall be permitted to travel on the public highways within the state of Alabama.

The maximum gross weight limit of any vehicle or combination of vehicles, including any tolerance which may be granted hereunder, shall not exceed the maximum gross weights prescribed by the congress of the United States under the provisions of subsection 127, section 1, chapter 1, Title 23, United States Code, or any other federal legislation amendatory thereof, or supplemental thereto, and no vehicles or combinations of vehicles shall be permitted to operate on any portion of the interstate highway system of Alabama except as shall meet the above provisions of United States Code.

(4) For purposes of enforcement of subsection (d) of this section, all scaled weights per axle shall be deemed to have a margin of error of ten percent (10%) of the true axle gross weights.

(5) Dump trucks, concrete mixing trucks, and fuel oil and gasoline trucks designed and constructed for special type work or use shall meet the load limitations prescribed in subsection (d) of this section.

(6) Provided further, that the governing body of a county, by appropriate resolution, may authorize limitations less than those prescribed herein for vehicles operated upon the county highways of such county.

(7) Provided further, that the state highway department, for cause, shall have the right to post or limit any road or bridge to weights less than those prescribed by this section."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	King			—29

Nay: Mr. Dominick —1

And said Bill, S. B. 271, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	King			—29

Nay: Mr. Dominick —1

The Bill:

S. 332. Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party".

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 332, to-wit:

SENATE JUDICIARY COMMITTEE AMENDMENT TO S. B. 332

Amend Section 1, fourth paragraph, third line, by deleting the words "or municipal"

Further amend Section 1, fourth paragraph, fourth line, by striking the words "three hundred" and inserting in lieu thereof the words "one thousand"

Further amend Section 1 by changing the number 317 to read 337 in the third line of the last paragraph and by adding the following paragraph at the end of said Section 1:

"If a political party fails to nominate any candidates for two or more consecutive general elections of state officers, the emblem theretofore adopted by it shall be discontinued and the party shall be required to adopt, prepare and file another petition and emblem."

Further amend Section 1, last paragraph, by striking the words "ten thousand" and inserting in lieu thereof the words "five thousand"

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier				—32

Nays:

—0

And said Bill, S. B. 332, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dozier	Horne	Owen		—30

Nays:

—0

The Bill:

S. 249. To abolish primary elections of political parties in all cities and towns of 300,000 population or less; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Edington	Horne	Owen		—30

Nays:

—0

The Bill:

S. 664. Authorizing consent to legally authorized medical, dental, health and mental health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Lindsey	Pelham		—30

Nay: Mr. Carr —1

The Bill:

S. 557. Regulating the compensation of Legislative Reference Analysts or persons in other similar positions, who are employed by the Legislative Reference Service subject to the provisions of the Merit System; providing that the rate of compensation of such persons shall never be less than the rate of compensation prescribed for attorneys in corresponding ranks in the classified service.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Cooper	Hammond	McLain	Shelby	
Dominick	Harris	Malone	Vacca	
Dozier	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
Fine	King	Owen	Wilson	—31

Nays: —0

The Bill:

S. 1070. To establish a Study Commission on Alabama's Judicial System; to prescribe its powers, functions, purposes and duties; to provide for the membership and officers of said Commission; to authorize such Commission to conduct studies and make recommendations pertaining to the judicial system and the administration of justice in Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Edington	Horne	Noonan	Weaver	
Fine	Jones	O'Bannon	Wilder	
Foshee	King	Owen		—30

Nays:

—0

The Bill:

S. 1009. To amend Act No. 470 Regular Session of 1969, Vol. 1, page, 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fosher	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine				—32

Nays:

—0

The Bill:

S. 808. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114, as amended by Section 1, Act No. 870, Acts of Alabama 1965, p. 1631, and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cooper	Harris	Malone	Weaver	
Dozier	Hawkins	Noonan	Wilder	
Edington	Horne	Owen	Wilson	
Fine	Jones			—29

Nays:

—0

The Bill:

S. 868. To amend Sections 2 and 6 of Act Number 771 H. 796 Regular Session, 1969 (Acts 1969-70 page 1373) an act to provide for the control and disposal of solid wastes so as to provide the method of obtaining an exemption and to provide a penalty for failing to pay fees and charges and rates for providing services.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following substitute for the Bill, S. B. 868, to-wit:

SUBSTITUTE FOR S. B. 868

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 2, 5 and 6 of Act Number 771, enacted at the 1969 Regular Session of the Legislature of Alabama (Acts 1969-70, page 1373), (an act to provide for the control and disposal of solid wastes) so as to provide the method of obtaining a certificate of exception, to provide for the collection of fees, charges and rates for providing services, and to provide penalties for failing to pay said fees, charges and rates, and for failing to comply with conditions of certificate of exception issued under said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 771, Regular Session, 1969 (Acts 1969-70, page 1373) is hereby amended to read as follows:

"Section 2. PROVISIONS

(a) General: The County governing body or municipal governing body may, and is hereby authorized to, make available to the general public collection and disposal facilities for solid wastes. The county or municipal governing body may provide such collection or disposal services by contract with private or other controlling agencies, and may include house-to-house service, or the placement of regularly serviced and controlled bulk refuse receptacles within reasonable (generally less than eight miles) distance from the farthest affected household and the wastes disposed of in a manner acceptable to the Health Department and within the meaning of this Act.

(b) Garbage Disposal: Garbage and rubbish containing garbage shall be disposed of by sanitary landfill, approved incineration, composting, or by other means now available or which may later become available as approved by the Health Department and under the supervision and control of a governmental, private, or other agency acting within the provisions of this Act.

(c) Burning: No garbage, or rubbish containing garbage or other putrescible materials, or hazardous wastes shall be burned, except in approved incinerators meeting the necessary temperature requirements and air pollution controls as now established or may later be established. The open burning of rubbish shall be permitted only under sharply controlled circumstances where sanitary landfill, or landfill is not feasible, and not in proximity to sanitary landfill, or landfill operations where spread of fire to these operations may be a hazard in the opinion of the controlling agency.

(d) Haulage: Trucks or other vehicles engaged in the business of hauling garbage and rubbish shall be so covered, secured or sealed that there will be no loss during haulage to cause littering of streets and highways, or cause a nuisance or hazard to the public health.

(e) Exception: A household, business, industry or any property owner may store, haul and dispose of his own solid wastes on his own land or otherwise, provided such storage, haulage or disposal is accomplished pursuant to a certificate of exception as provided herein. In order to obtain a certificate of exception, an application and plan must be filed with the county health officer or his designee setting out the proposed method of storing, hauling and disposing of solid waste so as to comply with rules and regulations adopted by the State or County Boards of Health and not create a public nuisance or hazard to the public health. Such officer or designee shall investigate such application and plan and issue a certificate of exception if such proposal will, in such officer's or designee's judgment comply with such rules and regulations and adequately prevent a public nuisance or hazard to public health."

Section 2. Section 5 of Act No. 771, Regular Session, 1969 (Acts 1969-70, page 1373) is hereby amended to read as follows:

"Section 5. ENABLING

(a) The county governing body or municipality undertaking the responsibility for providing services to the public under this Act may ~~establish fees, charges and rates, and may collect and disburse funds within cooperating areas or districts, inside or outside the corporate~~ limits of municipalities or inside or outside of county boundaries, for the specific purpose of administering this Act and providing and operating a solid waste program. Also said county governing body or public authority may enter into mutual agreements or contracts with the governing bodies of other counties, municipalities, corporations, or individuals, where deemed to be mutually economical and feasible, to jointly or individually collect, haul and/or dispose of solid wastes generated within the cooperating area. All contracts or mutual agreements under this Act shall be subject to review by the Health Officer and all such contracts and agreements shall be subject to cancellation upon thirty days notice from said Health Officer any time said contracts or agreements fail to be in the best interest of the health, safety and welfare of the citizens residing in the affected area.

(b) Private or Corporate Agencies: Individuals, corporations, partnerships or other agencies engaging in the collection and disposal of solid wastes are subject to this Act. Governing bodies may assign territories, approve or disapprove disposal sites (with the concurrence of the Health Department), and shall establish and collect annual license fees from such firms and set rate schedules if a service fee is charged.

(c) Licensing: Under Section 5 (b) no license shall be granted or fee collected without a permit issued by the state or county health department renewable annually at the time licenses are due. Permit shall be based upon performance and may be revoked for cause, including failure to perform under the provisions of this Act and regulations adopted under authority of this Act. No license shall be granted without the posting of a performance bond satisfactory to the governing body.

(d) Any county governing body or municipality establishing fees, charges and rates pursuant to subsection (a) of this Section shall have the power and authority to adopt resolutions or ordinances providing

that if the fees, charges or rates for the services furnished by the county governing body or municipality, or licensee of either, under the provisions of said Act, shall not be paid within thirty days after the same shall become due and payable, such county governing body or municipality may at the expiration of such thirty day period suspend such services, or may proceed to recover the amount of any such delinquency with interest in a civil action, or both."

Section 3. Section 6 of Act No. 771, Regular Session, 1969 (Acts 1969-70, page 1373) is hereby amended to read as follows:

"Section 6. ENFORCEMENT

The Health Department shall exercise such supervision over equipment, methodology and personnel in the management of solid wastes as may be necessary to enforce sanitary requirements, and the State and County Boards of Health may adopt such rules and regulations as may be needed to specify methodology and procedures to meet the requirements of this Act. Any person violating any provision of this Act or any rule or regulation made pursuant to this Act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars nor more than one hundred dollars, and if the violation or failure or refusal to obey or comply with such provision of the Act or such rule or regulation is a continuing one, each day's violation shall constitute a separate offense and shall be punished accordingly. Any person, firm or corporation granted an exception under Section 2 (e) who or which fails to carry out and comply with the provisions of the proposals embodied in the application and plan upon which a certificate of exception was issued to him or it shall be guilty of a misdemeanor and shall be punished as provided herein. Any person, firm, or corporation which has not been issued a certificate of exception hereunder and which utilizes the solid waste disposal system of any county or municipality and which fails to pay the fee, rate or charge established by the county or municipal governing body therefor shall be guilty of a misdemeanor and shall be punished as herein provided."

Section 4. Should any section, paragraph or other part of this act be declared invalid for any reason, the remainder of the act shall not be affected.

Section 5. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Sheiby
Cooper	Hammond	Malone	Weaver
Dominick	Harris	Noonan	Wilder
Dozier	Jones		

—29

Nay: Mr. Hawkins

—1

And said Bill, S. B. 868, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pierce	
Bailes	Givhan	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Fine	Jones	Pelham	Wilson	
Foshee	King			—29

Nays:

—0

The Bill:

S. 379. To further amend Section 301 of Title 52 of the Code of Alabama 1940, as amended, which relates to children exempt from public school.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dozier	Horne	Noonan	Weaver	
Edgington	Jones	O'Bannon	Wilder	
Fine	King	Owen		—30

Nays:

—0

The Bill:

S. 684. To create the Governor's Mansion Advisory Board, hereinafter referred to as Advisory Board, to define its duties with regard to the furnishing, refurbishing and up keep of the Governor's Mansion, and to make an appropriation therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	King	O'Bannon	
Bailes	Givhan	Lindsey	Owen	
Branyon	Hammond	Littleton	Pelham	
Carr	Harris	Lybrand	Register	
Clark	Hawkins	McLain	Shelby	
Cooper	Horne	Malone	Weaver	
Dominick	Jones	Noonan	Wilder	
Dozier				—28

Nays:

—0

The Bill:

S. 815. To protect wildlife exhibited for public purposes; to provide that the Director of Conservation may prescribe standards for the care and treatment of captive wildlife; to require persons exhibiting wildlife to secure a permit from the Department of Conservation and to pay a permit fee of twenty-five dollars (\$25.00) therefor; to provide punishment for the violation of the provisions of this Act or the standards established hereunder.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon		—30

Nays: —0

The Bill:

S. 1145. To further amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605) which creates the Alabama Space Science Commission and provides for its membership, terms, authority and duties, so as to provide that the employees of said Commission shall be eligible for participation in the state health insurance plan and the state retirement system.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Givhan	Littleton	Pelham	
Branyon	Hammond	Lybrand	Pierce	
Clark	Harris	McLain	Register	
Cooper	Hawkins	Malone	Vacca	
Dozier	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
Fine	King			—29

Nays: —0

The Bill:

S. 192. Proposing an amendment to the Constitution relating to the manner of amending the Constitution.

was taken up.

The Standing Committee on Constitution and Elections reported the following amendment to the Bill, S. B. 192, to-wit:

SENATE CONSTITUTION AND ELECTIONS
COMMITTEE AMENDMENT TO S. B. 192

Amend S. B. 192 by adding the following sentence at the end of sub-paragraph (b) in Section 1 of the proposed Constitutional Amendment:

"If a special election on a proposed amendment is called, other amendments may be submitted at the same election."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Hammond	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Lindsey			—29

Nays:

—0

And said Bill, S. B. 192, as thus amended, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	

—31

Nays:

—0

The Bill:

S. 964. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington				—32

Nays:

—0

The Bill:

S. 1031. To provide an appropriation to the Alabama Forestry Commission for the purchase of land and the construction of various facilities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Fine	King	Owen		—30

Nays:

—0

The Bill:

S. 480. To amend Section 528, Title 51, Code of Alabama, 1940, as amended, by deleting the word astrologers for the purpose of licensing astrologers under a separate act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cooper	Harris	McLain	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington				—28

Nays:

—0

The Bill:

S. 479. To levy a license on Astrologers practicing their profession for the public.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cooper	Harris	McLain	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen		—30

Nays:

—0

The Bill:

S. 1135. To amend Act No. 265, Regular Session 1963 (Acts 1963, p. 696) which Act authorizes the incorporation of Airport Authorities, to provide for the number of members of the Board of Directors of such Authority, the manner in which they shall be elected and to provide for the term of office of the members of said Board of Directors, to authorize the acquisition by eminent domain, construction, installation, equipping, maintaining and operating sanitary and storm sewer systems, water, electric and gas systems, upon, adjacent to, in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area or manufacturing, industrial or retail shopping area owned or operated by the Authority, to provide for the employment of security guards by such Authorities, to authorize any county, city or other political subdivision, public corporation, agency or instrumentality of this State to furnish at the request of such Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or used in connection therewith by such Authority, to prohibit any county, city or town from requiring the payment of any tax or privilege license by any person, firm or corporation for the reasonable use of its public streets, roads or highways in going to or from any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of such Authority, and to validate all contracts entered into or legal actions heretofore instituted by any de facto or de jure Authority organized under said Act No. 265, Regular Session 1963.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following substitute for the Bill, S. B. 1135, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 265, Regular Session 1963 (Acts 1963, p. 696) which Act authorizes the incorporation of Airport Authorities, to provide for the number of members of the Board of Directors of such Authority, the manner in which they shall be elected and to provide

for the term of office of the members of said Board of Directors, to authorize the acquisition by eminent domain, construction, installation, equipping, maintaining and operating sanitary and storm sewer systems, water, electric and gas systems, upon, adjacent to, in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area or manufacturing, industrial or retail shopping area owned or operated by the Authority, to provide for the employment of security guards by such Authorities, to authorize any county, city or other political subdivision, public corporation, agency or instrumentality of this State to furnish at the request of such Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or used in connection therewith by such Authority, to prohibit any county, city or town from requiring the payment of any tax or privilege license by any person, firm or corporation for the reasonable use of its public streets, roads or highways in going to or from any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of such Authority, and to validate all contracts entered into or legal actions heretofore instituted by any de facto or de jure Authority organized under said Act No. 265, Regular Session 1963.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 5, 7 and 9, respectively, of Act No. 265, Regular Session 1963 (Acts 1963, p. 696, which Act authorizes the incorporation of airport authorities, are each hereby amended to read, respectively, as follows:

"Section 5. Board of Directors of the Authority. Each Authority shall be governed by a board of directors of three or more members, selected as provided herein. If the sole authorizing subdivision is a county, the governing body of said county shall elect all members, the number of such members to be set out in the certificate of incorporation of said Authority. In all other cases, one member shall be elected by the governing body of each authorizing subdivision; one member shall be elected by the governing body of the county in which is located the principal office of the Authority specified in the certificate of incorporation if such county is not an authorizing subdivision; and one additional member shall be agreed to and elected by the governing bodies of all the authorizing subdivisions and the governing body of said county in which is located the principal office of the Authority specified in the certificate of incorporation. Each member elected by the governing body of one of the authorizing subdivisions shall be a resident of the authorizing subdivision by whose governing body he was elected, but the said additional member need only be a resident of the county in which is located the principal office of the Authority specified in the certificate of incorporation. In the event of a vacancy which continues for more than thirty days in the office of the said additional member to be elected by all governing bodies, then and in such event the Governor of Alabama shall, upon the request of any one of such governing bodies, appoint the said additional member. If the airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority is located in a county or counties other than the county which is, or in which is located, an authorizing subdivision, one additional member of said board shall be elected by the governing body of the county in which more than fifty per cent of the land used for such airport, heliport or aircraft landing area is located, such member to be a resident of such county. If such principal airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority is located in more than one county then the governing body of any county in which less than fifty per cent of such landing area is located may elect one member of the board of directors of such Authority if the certificate of in-

corporation as filed or amended shall so provide, such member to be a resident of such county. No officer of the state or any county, city or town therein shall, while holding such office, be eligible to serve as a director. The term of office of each director shall be set out in the certificate of incorporation of said Authority, and such terms shall be staggered as set out in the certificate of incorporation, or in such certificate as amended, so that the term of one director shall expire each year. If any director resigns, dies or becomes incapable or ineligible to act as a director, a successor to serve the unexpired portion of his term shall be elected in the manner prescribed hereinabove by the governing body which elected the director whose unexpired term he is filling or, in the case of the additional member, by all the governing bodies (and failing such election for a period of more than thirty days, shall be appointed by the Governor, upon the request of any such governing body.) Directors shall be eligible for re-election.

A majority of the members of the board of directors shall constitute a quorum for the transaction of business but any meeting of such board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and duties of the Authority. The board of directors shall hold regular meetings on the second Tuesday in each month and at such other times as may be provided in the by-laws of the Authority; and such board may hold other meetings at any time and from time to time, provided that upon call of the chairman of the Authority or any two directors, a special meeting of the board must be held. Any matter on which the board of directors is authorized to act may be acted upon at any regular, special or called meeting. At the request of any director, the vote on any question before the board shall be taken by yeas and nays and entered upon the record. All proceedings of the board shall be reduced to writing by the secretary of the Authority, recorded in a well bound book and open to each director and to the public at all times. Copies of such proceedings, when certified by the secretary of the Authority under its seal, shall be received in all courts as evidence of the matters and things therein certified. Each director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. If the certificate of incorporation so provides each director shall also be compensated by the Authority in an amount not to exceed \$20.00 per month, at a rate authorized by the board and by the certificate but not to exceed \$10.00 for each board meeting attended by him. Any director of the Authority may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the State for impeachment and removal of the officers mentioned in said Section 175."

"Section 7. Powers of the Authority—In General. The Authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof in corporate form: (1) to have succession by its corporate name for the duration of time (which may be in perpetuity) specified in its certificate of incorporation; (2) to sue and be sued in its own name in civil suits and actions, excepting actions in tort against the authority; (3) to adopt and make use of a corporate seal and to alter the same at pleasure; (4) to adopt and alter by-laws for the regulation and conduct of its affairs and business; (5) to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision,

and to manage said property, and to develop any undeveloped property owned, leased or controlled by it; (6) to execute such contracts and other instruments and to take such other action as may be necessary or convenient to carry out the purposes of this Act or the exercise of any power granted hereunder; (7) to plan, establish, develop, acquire, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, including the acquisition, construction, installation, equipment, maintenance and operation at, or in connection with or in furtherance of the use of such airports of sanitary and storm sewage systems and water, electric and gas systems, buildings, hangars and other facilities for airlines and the servicing of aircraft or for the comfort, use and accommodation of air travelers and the purchase and sale of supplies, goods and commodities as are incident to the operation of its airport properties; (8) to construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain, repair and operate heliports, aerial aircraft (by whatever name such may be known) landing, loading or storage areas and transportation terminals, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision; (9) to construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain and repair buildings, structures and facilities, suitable for use as manufacturing plants, industrial plants, (retail shopping areas or centers,) parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon or adjacent to any airport, heliport or aircraft landing area owned or operated by such Authority, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, and to lease or let such buildings, structures and facilities or any one or more of them to such tenant or tenants, for such term or terms, at such compensation or rental and subject to such provisions, limitations and conditions as the Authority may require or approve; (10) to furnish or supply upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority, to persons and aircraft thereon, for reward or compensation, goods, commodities, area facilities and services convenient or useful to the owners, operators and users of aircraft, and to persons upon said aircraft, heliport or aircraft landing area, including, but without limiting the generality of the foregoing, food, lodging, shelter, lawful drinks, confections, reading matter, oil, gasoline, motors and aircraft, motor and aircraft parts and equipment, space in buildings, space for buildings and structures, and the services of mechanics, instructors and hostlers; (11) to confer upon individuals, firms, corporations or companies for reward or compensation the privilege or concession of supplying upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority, all or any part of the goods, commodities, things, services and facilities in clause (10) of this section authorized to be supplied; (12) to acquire (by eminent domain and otherwise), establish, construct, expand, own, control, equip, improve, maintain, operate and regulate satellite airports or landing fields for the use of aircraft in the State whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision; (13) to acquire by purchase, gift, devise, lease, eminent domain proceedings or otherwise, existing airports and air navigation facilities, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, provided, however, that the Authority shall not acquire or take over any airport or air navigation facility owned or controlled by any county, city, town or public agency of the state, or any one or more thereof, without the consent of such county, city, town or public agency; (14) to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; (15)

to pledge for payment of such bonds any revenues and funds from which such bonds are made payable; (16) to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes for which the Authority was organized; (17) to exercise the power of eminent domain in the manner and subject to the provisions of Title 19 of the Code of Alabama of 1940, as amended, with respect to any property, real, personal or mixed, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, including air space, navigation easement, structures and obstructions to flights, and property already devoted to public use, that may be reasonably necessary for the construction, extension, maintenance, operation, protection, enlargement, improvement or preservation of an airport or airport facility or sanitary or storm sewage systems, water, electric and gas systems upon, adjacent to or in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area, or other properties owned or operated by the Authority; (18) to appoint, employ, contract with and provide for the compensation of such officers, employees and agents, including engineers, attorneys, consultants, fiscal advisers and such other employees as the business of the Authority may require, including the power to fix working conditions by general rule and other conditions of employment and at its option to provide a system of disability pay, retirement compensation and pensions, or any of them, and to hire and fire servants, agents, employees and officers at will; (19) to fix, establish, collect and alter landing fees, tolls, rents and other charges for the use of any airport, heliport, landing area, building, structure, facility or other property owned or controlled by the Authority; (20) to make and enforce rules and regulations governing the use of any airport, heliport, landing area or airport facility owned or controlled by the Authority; (21) to provide for such insurance, including use and occupancy insurance, as the board may deem advisable; (22) to invest any funds of the Authority that the board may determine are not presently needed for its corporate purposes in any obligations which are direct general obligations of the United States of America or which are unconditionally guaranteed as to both principal and interest by the United States of America, or in bonds of this State or any county, city or town therein; (23) to cooperate with the state, any county, city, town, public corporation, agency, department or political subdivision of the state, and to make such contracts with them or any of them as the board may deem advisable to accomplish the purposes for which the Authority was established; (24) to sell and convey any of its properties that may have become obsolete or worn out or that may no longer be needed or useful; (25) to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any airport, heliport or airport facility from the United States of America or any agency thereof, and from the State, any department or agency thereof and any political subdivision thereof, and to receive and accept money, property, labor or other things of value from any source whatever; (26) to purchase equipment and supplies necessary or convenient for the exercise of any power of the Authority; (27) to appoint, employ, contract with and provide for compensation of such security officers and guards as the Authority shall deem necessary for the protection of all facilities under the control or supervision of said Authority, and all persons using such facilities. (All such security officers shall be conservators of the peace, and shall have and exercise all powers and authorities of peace officers in this State. Jurisdiction over all misdemeanors committed on the property of the Authority shall be vested in the courts of any city that is an authorizing subdivision. If there is no authorizing city, such jurisdiction shall be vested in any county that is an authorizing subdivision); and (28) to enter into a management agreement or agreements with any county, city or town in the

State for the management by the Authority of any airport, heliport, air navigation facility, or other facility useful to the Authority, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, upon such terms and conditions as may be mutually agreeable. Nothing herein shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or held by railroads or utilities, both public or private."

"Section 9. Cooperation. For the purpose of aiding and cooperating with the Authority in the planning, development, undertaking, construction, extension, improvement or operation of airports, heliports and air navigation facilities, any county, city, town or other political subdivision, public corporation, agency or instrumentality of this State may, upon such terms and with or without consideration, as it may determine:

(a) Lend or donate money to the Authority;

(b) Provide that all or a portion of the taxes or funds available or to become available to it, or required by law to be used by it for airport purposes, shall be transferred or paid directly to the Authority as such funds become available to it;

(c) Cause water, sewer or drainage facilities, or any other facilities which it is empowered to provide, to be furnished adjacent to or in connection with such airports, heliports or air navigation facilities;

(d) Donate, sell, convey, transfer or lease to the Authority any land, property, franchise, grant, easement, license or lease, which it may own;

(e) Donate, sell, convey or lease any airport, airport property, heliport or heliport property, or any interest in any thereof owned by it, to the Authority;

(f) Donate, transfer, assign, sell or convey to the Authority any right, title or interest which it may have in any lease, contract, agreement, license or property;

(g) Furnish, dedicate, close, pave, repair, install, grade, regrade, plan or replan streets, roads, roadways and walks from established streets or roads to such airport or air navigation facilities or abutting or adjacent to such airports or air navigation facilities; and

(h) Do any and all things, whether or not specifically authorized in this section and not otherwise prohibited by law, that are necessary or convenient to aid and cooperate with the Authority in the planning, undertaking, construction, or operation of airports, heliports and air navigation facilities.

(i) Furnish at the request of the Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or under the jurisdiction of the Authority."

Section 2. Said Act No. 265, Regular Session 1963 (Acts 1963, p. 696) is further amended by adding Sections 25 and 26 thereto as follows:

"Section 25. Validating contracts of and litigation by Authority. All contracts entered into or legal actions hereafter or heretofore instituted by any de facto or de jure authority organized under Act No. 265, Regular Session 1963 (Acts 1963, p. 696) are hereby validated."

"Section 26. Access to and from airport. No county, city or town may require the payment of any tax or privilege license by any person, firm or corporation for the reasonable use of the public streets, roads or highways therein leading to or from any airport, heliport or

aircraft landing area owned or operated by or under the jurisdiction of such Authority."

Section 3. Effective date. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Clark	Hawkins	McLain	Shelby	
Cooper	Horne	Noonan	Vacca	
Dozier	Jones	O'Bannon	Weaver	
Edington	King	Owen	Wilder	
Fine				—28

Nays: —0

And said Bill, S. B. 1135, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Carr	Harris	Lybrand	Vacca	
Clark	Hawkins	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Edington	Jones	Owen		—26

Nay: Mr. Hammond —1

The Bill:

S. 417. To regulate expense allowances of circuit judges when ordered to hold court or perform official duties outside the respective circuits for which they are elected, amending Section 179 of Title 13 of the Code of Alabama 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine				—32

Nays: —0

The Bill:

S. 146. To amend Code of Alabama 1940, Title 25, Section 45, which relates to the form and sale of bonds of county housing authorities, amending such section in relation to the interest rate.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Vacca	
Cooper	Hawkins	Malone	Weaver	
Dozier	Jones	Noonan	Wilder	
Edington	King	Owen	Wilson	
Fine				—28

Nays: —0

The Bill:

S. 416. To amend Act No. 730, Acts of Alabama, Reg. Sess. 1967, approved September 8, 1967, to authorize, provide for, and regulate the reimbursement out of the state treasury of certain expenses incurred by judges of Alabama attending and participating in the National College of State Trial Judges of Reno, Nevada, and to make a continuing appropriation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dozier	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
				—31

Nays: —0

The Bill:

S. 1229. To transfer the appropriation made by Section 8 (a) (vii) of Act No. 94, H. 47 of the Special Session of 1971, to the Alabama Institute for the Deaf and Blind, Talladega, Alabama, for acquisition and construction of an eye, ear, nose and throat clinic, to the State Department of Education, Division of Rehabilitation and Crippled Children to be used by such division for the acquisition, construction and equipping of such clinic.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—33

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, Williams, Turner, Drake, Easters and Grainger:

H. 1802. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

By Messrs. Turnham and Wynot:

H. 101. To provide a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1802 and 101. To the Committee on Finance and Taxation.

ADJOURNMENT

At 12 o'clock Midnight, on motion of Mr. Fine, the Senate adjourned until Thursday, September 2, 1971, at 8 o'clock A. M.

THIRTY-THIRD LEGISLATIVE DAY

THURSDAY, SEPTEMBER 2, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Karl B. Stringfellow, Pastor, Normandale United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirty-second Legislative Day was approved by the Senate.

BILLS ON THIRD READING

The Bill:

S. 1222. To provide further for the control of solid wastes in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, by providing a method of exemption and a penalty for failure to pay fees, charges and rates for such disposal.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Carr	Fine	Lybrand	Shelby
Clark	Foshee	McLain	Vacca
Cook	Gilmore	Malone	Weaver
Cooper	Givhan	Noonan	Wilder
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1923. To repeal Act No. 576, S. 538, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1062) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances for the members of the county governing body" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Noonan	
Bailes	Foshee	Lindsey	Pelham	
Cook	Hammond	Littleton	Pierce	
Cooper	Harris	Lybrand	Register	
Dominick	Hawkins	McLain	Shelby	
Dozier	Horne	Malone	Vacca	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1828. Relating to Dale County, authorizing nighttime hunting of raccoons, bobcat and fox with a rifle or shotgun; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	O'Bannon	
Bailes	Dozier	Hawkins	Owen	
Branyon	Edington	King	Register	
Carr	Fine	Littleton	Vacca	
Clark	Gilmore	McLain	Wilder	
Cook	Givhan	Malone	Wilson	
Cooper	Hammond			—25

Nays:

—0

The Bill:

H. 1827. Relating to the County Commission of Dale County; re-dividing the county into four Commission districts; providing for the election and terms of the members of the Commission and for the election of a fifth member as Chairman of the Board of Commissioners, relieving the Probate Judge of all his duties and authority as Chairman of the Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1826. Relating to Dale County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	Malone	Weaver	
Clark	Hammond	Noonan	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1274. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Dale County; and the regulation of costs and charges of courts in said county.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1250. To provide an additional expense allowance for each court reporter in the 8th Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Gilmore	Lybrand	Vacca	
Clark	Givhan	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2016. To repeal Act No. 189, H. 245, approved August 28, 1964, an Act relating to the Sheriff's deputies; number; tenure; and compensation in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2017. To repeal Act No. 216, H. 207 approved May 10, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector, sheriff, circuit court clerk, probate judge and county court judge in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 258).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Harris	O'Bannon	Vacca	
Clark	Horne	Owen	Weaver	
Cook	Jones	Pelham	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2019. To repeal Act No. 66, H. 55 approved February 7, 1956, an Act relating to the expenditures for offices of probate judge, sheriff, tax collector, tax assessor and circuit court clerk in certain counties on a population basis (Acts of Alabama Special Sessions 1956 vol. I, p. 99).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2018. To repeal Act No. 38, H. 8 approved June 28, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector and circuit court clerk in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 367).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Littleton	Pierce	
Clark	Foshee	Lybrand	Register	
Cook	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2028. To repeal Act No. 382, H. 880 approved August 30, 1963, an Act relating to counties having a population of not less than 76,000 nor more than 96,000: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification (Acts of Alabama 1963 vol. 2, p. 884).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2029. To repeal Act No. 190, H. 246 approved August 28, 1964, an Act relating to the salary and expense allowance of judge of probate in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cook	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2042. Relating to the City of Athens in Limestone County; providing for the term of the Mayor and for overlapping terms of the members of the City Council.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2043. Further regulating the meetings of the county board of registrars in counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2044. To provide expense allowance for the incumbent Circuit Court Clerk in all counties having a population of not less than 39,500 nor more than 41,750, said allowance to commence October 1, 1971, and to expire at the end of the term of the office of the incumbent Circuit Court Clerk and to be payable out of the general funds of the respective counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Horne	Malone	Vacca	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2045. To provide for the compensation and expense allowances for certain officers and employees and to provide additional allowances for the employment of deputies, clerks and other assistants in all counties having a population of not less than 39,500 nor more than 41,750.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Register	
Bailes	Foshee	Malone	Shelby	
Branyon	Gilmore	Noonan	Vacca	
Carr	Harris	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2135. Relating to counties having a population of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to provide that where the chairman of the governing body of such counties is authorized to employ a clerk to whom he may delegate any clerical or purely administrative duty and that the salary of such clerk shall be established and provided for by the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 96. MOURNING DEATH OF THREE COACHES OF VESTAVIA HILLS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, Williams, Turner, Drake, Easters, Grainger and Robertson:

H. 1803. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1803. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Snell:

H. 2733. To amend Sections 1 and 2 of Act No. 308, Regular Session of the Legislature of Alabama of 1963, relating to the imposition of a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts so as to increase the rate of taxation and to make further provisions for the disposition of revenues thereof.

Also:

By Messrs. Stubbs, McCorquodale and Turner:

H. 2796. To further provide for and raise revenue for the State of Alabama; to levy an additional privilege or license tax on instruments conveying real or personal property as a prerequisite for the filing of record of such instruments and to provide for the disposition of the tax herein levied.

Also:

By Messrs. Stubbs, McCorquodale and Turner:

H. 2797. To provide for the organization of a public corporation in the State of Alabama to be known as Alabama State Parks Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers and duties of the Authority, including the power to issue its bonds in the aggregate principal amount of \$8,000,000; to provide that the proceeds of the said bonds remaining after payment of the expenses of their issuance shall be used for capital outlay purposes in completing the state parks now under construction in the state; to authorize the issuance of refunding bonds to refund any bonds of the Authority at the time outstanding, including the expenses of the refunding and any premium that may be necessary to retire the bonds refunded; to provide for the execution of and other details relating to the bonds, including a requirement that they be sold only at public sale; to provide that the bonds and the income therefrom shall be exempt from all taxation in the state, that the bonds may be used to secure deposits of funds of the state and its political subdivisions, instru-

mentalities and agencies, and shall be legal for the investment of fiduciary funds; to provide for the disposition of the proceeds of the sale of bonds issued hereunder; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from a special tax to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge the said proceeds for payment of the principal of and interest on its bonds; to provide that the principal of and interest on the bonds of the Authority shall be payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide for the dissolution of the Authority when it does not have any bonds outstanding; and to provide that the several provisions of this act shall be severable.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 2780. To the Committee on Finance and Taxation.

H. B.'s 2796 and 2797. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Downing:

H. 741. To provide maximum finance charges for credit sales; to regulate extensions of credit, consumer credit sales and consumer leases; to provide penalties for violation of this Act; exclude: real estate, homes of individuals, automobiles, trucks and trailers and farm equipment.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 741. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Collins and Lyons:

H. 2570. To raise revenue; to levy a privilege or license tax against every person engaging in the business of operating a coal mine; to prescribe the rate thereof and exclusions therefrom; to provide for issuance

of an operator's license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act.

Also:

By Mr. Hardin:

H. 1048. To provide for the appointment of volunteer forest fire wardens by the State Forester of the Alabama Forestry Commission; to set forth the duties of such wardens and to provide for the issuance of equipment to them and the compensation to be received by such wardens.

Also:

By Mr. Naramore:

H. 1155. To amend Act No. 473, Section 11(a), 1969 Acts of Alabama, page 927, so as to exclude Forestry Commission vehicles from the provisions of Act No. 473.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 2570. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 1048 and 1155. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. May:

H. 482. To expand offerings at Jefferson Davis State Junior College to senior college status.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 482. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cauthen:

H. 2658. Relating to the State sales tax: To amend Section 34 of Act No. 100 of the Second Extraordinary Session of the Legislature of Alabama 1959, so as to limit the allowance of the discount for collection thereof and provide for the use of revenue accruing to the State by reason of such reduction.

Also:

By Mr. Cauthen:

H. 2661. Relating to the State use tax: To amend further Code of Alabama 1940, Title 51, Section 801, as amended, so as to limit the amount of discount allowed the seller or vendor for collecting and remitting the tax and to provide for the use of the revenues accruing to the State by reason of this limitation on the discount.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2658 and 2661. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 839. Relating to Tallapoosa County making it unlawful to use an electrical device or certain other devices or instruments to take, catch, stun or kill any game or non-game fish; prescribing penalties therefor and making the possession of any such device *prima facie* evidence that it is being used for illegal purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Wilder	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 1007. To amend Section 1 of Act No. 81, H. 76, Special Session 1967 (Acts 1967, p. 114), which authorizes the district attorney of the nineteenth judicial circuit to appoint a secretary and provide for compensation thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Hawkins	O'Bannon	Vacca
Cook	Horne	Owen	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1229. To amend the title and Sections 1 and 2 of Act No. 927, H. 895, Regular Session 1961 (Acts 1961, p. 1486), which act provides further for the compensation and allowances of jurors and bailiffs in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Register
Cooper	Hawkins	Noonan	Shelby
Dominick	Horne	O'Bannon	Vacca
Dozier	Jones	Owen	Wilder
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 1732. To amend further Section 1, Act No. 47, H. 100, Special Session 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Malone
Bailes	Edington	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	McLain	Wilder
Dominick	Hammond		

—25

Nays:

—0

The Bill:

H. 1734. Relating to Elmore County; to provide for an additional fee to be charged by the judge of probate of such county for his services in redemption of land sold for taxes; and providing for the disposition of such additional fee.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Harris	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Clark	Horne	O'Bannon	Vacca	
Cook	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 1735. To further regulate the fee for recording change of ownership of a motor vehicle in Elmore County; providing for the disposition of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Shelby	
Cooper	Givhan	O'Bannon	Vacca	
Dominick	Hammond	Owen	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1733. To regulate further the fees for recording documents affecting the title to real property in Elmore County; and providing for the disposition of said fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1737. Relating to Elmore County; abolishing the Elmore County Court and establishing in lieu thereof a court of record to be known as

the Law & Juvenile Court defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Court to the Law & Juvenile Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Givhan	Noonan	Wilder	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 758. To provide that any bank situated in Blount County or having a branch or authorized place of business in Blount County may, with the approval of the Superintendent of Banks, establish, maintain and operate one or more branch banks, offices or places of business in said County.

was taken up.

Mr. Carr offered the following substitute for the Bill, H. B. 758, to-wit:

SUBSTITUTE FOR H. B. 758

A BILL TO BE ENTITLED AN ACT

To provide that any bank situated in Blount County or having a branch or authorized office or place of business in Blount County may, with the approval of the Superintendent of Banks, establish, maintain and operate a branch bank in the town of Snead, Alabama, a municipality in said Blount County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank situated in Blount County, Alabama, or having a branch or authorized office or place of business in said County may, with the approval of the Superintendent of Banks, establish, maintain and operate a branch bank in the town of Snead, Alabama, a municipality in said Blount County.

Section 2. This Act shall take effect immediately upon its approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Fine	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 758, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Fine	McLain	Shelby	
Carr	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2231. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 2231, to-wit:

SUBSTITUTE FOR H. B. 2231

A BILL TO BE ENTITLED AN ACT

Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Chilton County shall receive compensation as follows:

(a) For the Judge of Probate, an annual salary of \$15,000;

(b) For the Sheriff an annual salary of \$13,000;

(c) For the coroner, an annual salary of \$900;

(d) For each associate member of the County Commission, or other like governing body, an annual salary of \$4,000;

(e) For the County Solicitor or Deputy District Attorney of Chilton County, an annual salary of \$5,400;

(f) For the Judge of the Law and Equity Court for Chilton County, an annual salary of \$15,000;

(g) For the Tax Assessor, an annual salary of \$11,000;

(h) For the Tax Collector, an annual salary of \$10,000;

(i) For the Circuit Clerk, who also serves as Ex-Officio Clerk of the Law and Equity Court, an annual salary of \$12,000.

Section 2. Such salaries are to be the entire compensation received by any of the above county officers for his services and shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid to any such officer, and shall be paid in equal monthly installments out of the general fund of the county or the appropriate fund of the county.

Section 3. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county.

Section 4. The governing body of Chilton County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment, and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each officer named herein upon the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the Legislature to so regulate the compensation of such officers has been ratified and proclaimed as prescribed by law.

Mr. Littleton offered the following amendment to the substitute for the Bill, H. B. 2231, to-wit:

AMENDMENT TO H. B. 2231

Amend H. B. 2231 by striking Section 7 in its entirety and inserting in lieu thereof the following:

"Section 7. This Act shall become effective as to each officer named herein upon the expiration of the current term of each such officer, subject to the passage, ratification and proclamation of an amendment to the Constitution of Alabama authorizing the Legislature to so regulate the compensation of such officers."

Which was adopted.

And the substitute, as thus amended, for the Bill, H. B. 2231, was then adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 2231, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1739. To amend further Section 1, Act No. 47, H. 100, Special Session, 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Noonan	Vacca	
Dominick	Hawkins	Owen	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1836. Relating to Counties having populations of not less than 90,000 nor more than 100,000; to provide for Minute Entries in Misdemeanor cases appealed from County Court, a City Recorder's Court, Mayor's Court, Police Court, a Municipal Court, or any Inferior Court, to the Circuit Courts or any other Courts of Record in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Pelham	
Clark	Foshee	Littleton	Pierce	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1963. Relating to counties having a population of not less than 30,000 nor more than 33,575, according to the most recent federal decennial census; to provide for the annual salary of jury commissioners of such counties to be \$800.00 per year.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Horne	Owen	Wilder	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 1964. Relating to counties having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; to provide for jurors pay in such counties to be \$15.00 per day.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Hammond	Littleton	Register	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1968. Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Hammond	Noonan	Vacca	
Cooper	Hawkins	Owen	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 2057. Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Horne	Noonan	Wilder	
Cook	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2208. To provide that residency within a municipality shall not be a pre-requisite to employment by municipalities having populations of not less than 40,000 nor more than 45,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pelham	
Carr	Givhan	Lindsey	Vacca	
Clark	Hammond	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2248. Relating to the meetings of Boards of Registrars in Counties having a population of not less than 90,000 nor more than 100,000,

according to the most recent federal decennial census; and providing further for the acceptance of applications for registration in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2282. To create the office of Supernumerary Probate Judge in any county having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; prescribing the qualifications, terms, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any Supernumerary Probate Judge.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Owen	Wilder	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1838. To provide further for hospital service for the indigent in Conecuh County; to authorize the hospital board to provide matching funds for said service and to relieve the county governing body of certain duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1839. To provide the tax assessor of Conecuh County an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hammond	Malone	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1841. To provide further for the compensation of the county or deputy solicitor of Conecuh County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Hammond	Noonan	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1840. To provide clerical assistants for the office of the judge of probate of Conecuh County, and to provide a clerk hire allowance for the judge of probate, payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1842. To provide an additional clerical allowance to the circuit clerk of Conecuh County, such allowance to be payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cooper	Hammond	Owen	Weaver	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1843. To provide an expense allowance for members and the chairman of the Conecuh County Commission or other like governing body of Conecuh County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1900. To provide for the selection of the Superintendent of Education of Geneva County, prescribing his qualifications, providing for his term of office, salary and powers and duties, and further providing for the filling of vacancies in the office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 1965. To provide for the seizure and confiscation of property used in illegal night hunting of deer in counties having a population of not less than 21,000 nor more than 22,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Noonan
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Malone	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 1982. To amend the title and Section 1 of Act No. 156, S. 145, Regular Session 1965 (Acts 1965, p. 226), which Act provides for the employment of a secretarial assistant by the County Solicitor in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Shelby
Branyon	Foshee	McLain	Vacca
Carr	Gilmore	Malone	Weaver
Clark	Givhan	Noonan	Wilder
Cooper	Hammond	O'Bannon	Wilson
Dozier	Harris		

—25

Nays:

—0

The Bill:

H. 2034. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; entitling the coroner to a scale of fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Hammond	Littleton	Register
Carr	Harris	Lybrand	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 2128. To amend further Act No. 13, H. 118, of the Regular Session of 1947 (Local Acts 1947, p. 7) which establishes for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen, so as to regulate further membership in and creditable service for and retirement under such system; further regulating benefits payable under such system and the investment of monies in the Fireman's and Policeman's Pension and Relief Fund; and for such purposes amending Sections 4, 16 and 26 and further amending Sections 9 and 15, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Register	
Clark	Givhan	Malone	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2129. Relating to all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; to set a fee for the issuance of pistol permits, and to provide for the collection and disposition of said fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Vacca	
Clark	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2252. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Lybrand	Vacca	
Clark	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2505. To repeal Act No. 732, H. 1263, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1340) entitled, "An Act relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Noonan	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2506. To amend the title and Section 1 of Act No. 646, S. 599, Regular Session 1965 (Acts 1965, p. 1167) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 2321. To amend the title and Section 1 of Act No. 54, H. 10, Regular Session 1967 (Acts 1967, p. 381), which authorizes the county commission to provide an additional clerk-hire allowance to the circuit clerk in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wiison	
Edington	King			—25

Nays:

—0

The Bill:

H. 2320. To amend the title and Section 1 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended, which authorizes county governing bodies to provide for payment of expenses of certain county officers, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Hammond	O'Bannon	Vacca	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 2322. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2323. To amend the title and Section 1 of Act No. 189, H. 245, Special Session 1964 (Acts 1964, p. 254), which provides for the appointment of deputy sheriffs and fixes their salaries in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2324. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Jones	Owen	Weaver	
Edington	King			—25

Nays: —0

The Bill:

H. 2325. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Hammond	Lybrand	Pierce	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2326. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Givhan	Noonan	Vacca	
Cook	Harris	O'Bannon	Wilder	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 2327. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Hammond	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2328. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Carr	Givhan	Lindsey	Pelham
Clark	Hammond	Lybrand	Pierce
Cook	Harris	Malone	Register
Cooper	Hawkins	Noonan	Shelby
Dominick	Horne	O'Bannon	Vacca
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2330. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager, defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Clark	Givhan	Lindsey	Pierce
Cook	Hammond	Lybrand	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2329. To amend the title and Section 1 of Act No. 487, H. 699, Regular Session 1967 (Acts 1967, p. 1182), which provides an expense allowance for the district attorney of the circuit court; fixes the expiration date of such expense allowance in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 2331. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Givhan	Lindsey	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2332. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2401. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185),

which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2402. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Carr	Hammond	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

H. 2403. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 778. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1236. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the tax assessor to employ a clerk to perform duties imposed on the tax assessor under Code of Alabama 1940, Title 51, Sections 66, 67, and 68.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

S. 1237. To amend Section 1 of Act No. 773, S. 621, Approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Municipal Employees Pension and Relief Funds", so as to make said act applicable only in cities having a population of not less than 150,000, nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Hammond	O'Bannon	Vacca	
Cooper	Harris			—25

Nays: —0

The Bill:

S. 1238. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hammond	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

S. 1239. To amend Sections 1 and 3 of Act No. 774, S. 626, of the 1951 Regular Session of the Legislature of Alabama, approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" so as to make said Act apply only to cities having a population of not less than 150,000 nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1240. To alter or re-arrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands herein-after described.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lybrand	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1241. Relating to Wilcox County; to make it unlawful to kill, take or catch fish from the public waters of said county by the use of gill nets; and to prescribe the penalties for any person, firm or corporation who violates the provisions of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1242. To amend Sections 2, 3, and 4 of Act No. 177, H. 418 Regular Session 1945 (Local Acts 1945 p. 91) which Act established the Board of Directors of Conecuh County, by prescribing the qualifications of the members of said board, their terms of office and manner of their election.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1243. Relating to St. Clair County, authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	Malone	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1244. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Wilson	
Cooper	Hammond			—25

Nays: —0

The Bill:

S. 1245. To provide for the election of members of the County Board of Education of Autauga County, Alabama; to define the school districts from which the members of the County Board of Education are elected.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1248. To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act to abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, by providing in Section 5 thereof that the President of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a Member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Bailes
Branyon
Carr

Clark
Cook
Cooper
Foshee

Givhan
Hammond
Harris
Hawkins

Horne
Jones
King
Lindsey

Littleton	Malone	Register	Vacca	
Lybrand	Pelham	Shelby	Weaver	
McLain	Pierce			—25
<i>Nays:</i>				—0

The Bill:

S. 1249. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25
<i>Nays:</i>				—0

The Bill:

S. 1251. To amend Section 1 of Act No. 332, H. 688, Regular Session 1969 (Acts 1969, p. 706) which act provides for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25
<i>Nays:</i>				—0

The Bill:

S. 1252. To amend Section 1 of Act No. 421, H. 627, Regular Session 1959 (Acts 1959, p. 1113) which act relates to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilder	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 1253. To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporation limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Givhan	Lindsey	Pelham	
Carr	Hammond	Littleton	Vacca	
Clark	Harris	Lybrand	Weaver	
Cook	Hawkins	McLain	Wilder	
Cooper	Horne	Noonan	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 865. To amend further the title and Section 1 of Act No. 529 of the 1949 Regular Session of the Alabama Legislature (1949 Acts, p. 827), as amended, which relates to plumbers and plumber examining boards in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Lybrand	Wilder	
Cook	Hawkins	McLain	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1133. Relating to counties having populations of not less than 25,150 nor more than 26,500, according to the most recent federal decen-

nial census, to provide for an expense allowance for the Court Reporter in the Law and Equity Court in all such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Register	
Clark	Hammond	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 1266. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1268. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for the election of county superintendent of education by the qualified electors thereof; to prescribe duties, qualifications, term of office, and compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 2014. To repeal Act No. 129, H. 176 approved May 9, 1963, an Act relating to counties having populations of not less than 65,000 nor more than 95,000; providing further for the operation of the offices of circuit solicitors in such counties (Acts of Alabama Organizational 1st and 2nd Special Regular Sessions 1963 vol. I, p. 316).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Vacca	
Carr	Givhan	Lybrand	Weaver	
Clark	Harris	McLain	Wilder	
Cook	Horne	Malone	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 2015. To repeal Act No. 405, H. 851 approved August 7, 1961, an act relating to regulating the compensation and allowances of Probate Judges in certain counties on a population basis (Acts 1961, Vol. 1, p. 419).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2020. To repeal Act No. 371, S. 420 approved August 10, 1965, an act relating to the salary of the sheriff in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 505).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Clark	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Register	
Cooper	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2021. To repeal Act No. 200, H. 796 approved July 30, 1965, an act relating to the expense allowance for the coroner in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 283).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lybrand	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Givhan	Noonan	Shelby	
Dominick	Harris	O'Bannon	Vacca	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2022. To repeal Act No. 30, S. 9 approved August 24, 1964, an act relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of clerk for the board of registrars whose compensation shall be paid by the county (Acts of Alabama 1st Special Session 1964, p. 54).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Lybrand	Shelby	
Cook	Gilmore	Malone	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2023. To repeal Act No. 30, S. 8 approved August 24, 1964, an act relating to regulating the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000 (Acts of Alabama 1st Special Session 1964, p. 53).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Malone	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond			—25

Nays:

—0

The Bill:

H. 2024. To repeal Act No. 251, H. 641 approved August 15, 1963, an act relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers (Acts of Alabama Organizational 1st Special 2nd Special Regular Sessions 1963 Vol. 1, p. 661).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Noonan	Wilder	
Cook	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2025. To repeal Act No. 924, S. 31 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax assessor in certain counties on a population basis (Acts of Alabama 1961 Regular Special Sessions Vol. II, p. 1483).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Cook	Gilmore	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2026. To repeal Act No. 923, S. 30 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax collector in certain counties on a population basis (Acts 1961 Regular Special Sessions, Vol. II, p. 1483).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2027. To repeal Act No. 77, H. 31 approved June 27, 1963, an Act relating to counties having populations of not less than 76,000 nor more than 115,000, providing for meetings of the board of registrars in such counties (Acts of Alabama 1963 Organizational 1st and 2nd Special Regular Sessions vol. 1, p. 454).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	Lybrand	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2084. To apply only in counties having a population of not less than 76,000 nor more than 80,000; providing for the Chairman or President of the County Commission, or other like governing body to pay to any county employee whose salary is received from said County Commission, or other like governing body, sums as sick leave during any temporary illness or disability of said employee.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2178. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to authorize establishment of branch banks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Harris	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Cook	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2181. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for clerk hire allowance for the judges of probate of said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Owen	Wilder	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2183. To amend further Act No. 102, H. 237, Regular Session 1935 (Local Acts 1935, p. 38), which relates to the selection of the superintendent of education and prescribes his duties, qualifications, compensation and term of office, so as to provide further for his compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	King	Pelham	
Carr	Givhan	Lindsey	Pierce	
Clark	Hammond	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2184. To abolish the criminal and quasi-criminal jurisdiction of justices of the peace and notaries public ex officio justice of the peace elected or appointed for any precinct in Macon County, and transferring such jurisdiction to the Inferior Court of Macon County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Carr	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 2187. Relating to counties having populations of not less than 24,500 and no more than 25,000, according to the most recent decennial census; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 2188. To repeal Act No. 114, H. 216, approved July 7, 1965; entitled, "Relating to counties having populations of not less than 26,600 nor more than 26,800 inhabitants according to the 1960 or any subsequent decennial census of the United States; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire." (Acts, 1965, Regular Session, Volume 1, p. 174).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Carr	Fine	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 2189. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 24,500 nor more than 25,000, according to the last or any subsequent decennial census of the population of the United States.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Fine	Horne
Bailes	Dominick	Foshee	Jones
Clark	Dozier	Gilmore	King
Cook	Edington	Givhan	Lindsey

Littleton	Malone	Pierce	Shelby	
Lybrand	Noonan	Register	Wilder	
McLain	Pelham			—25
<i>Nays:</i>				—0

The Bill:

H. 2190. To repeal Act No. 146, H. 446, approved, August 1, 1961; entitled, "To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 25,750 nor more than 27,000 according to the last or any subsequent decennial census of the population of the United States." (Acts 1961, Vol. 1, P. 189).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Hammond	McLain	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 2191. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for deputy sheriff and the minimum amount and payment of their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Wilder	
Cooper	Givhan	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2193. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	Owen	Weaver	
Dominick	Horne	Pelham	Wilder	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 2194. To repeal Act No. 691, S. 512, approved September 1, 1965; entitled, "To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000 according to the most recent federal decennial census." (Acts 1965, Regular Session Volume II, p. 1284).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lybrand	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Hammond	Noonan	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2195. Relating to counties having populations of not less than 24,500 and not more than 25,000, according to the most recent decennial census; providing an additional monthly mileage allowance for members of the governing body, including the chairman, of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 2196. To repeal Act No. 216, H. 669, approved July 25, 1969; entitled, "Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body, of such counties to be used in

attending certain conventions." (Acts 1969, Regular Session, Volume I, p. 535).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2197. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2340. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Wilson	
Cooper	Hammond			—25

Nays: —0

The Bill:

H. 2341. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which pro-

vides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Gilmore	King	Pelham	
Clark	Givhan	Lindsey	Pierce	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2344. To repeal Act No. 1002, S. 822 approved September 12, 1969, an Act relating to the compensation of certain county officers, allowance for clerical assistance for board of equalization, jury commission, and board of registrars, and the supplemental salaries of certain officers of circuit court (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1875).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	McLain	Register	
Cook	Hammond	Malone	Shelby	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2345. To repeal Act No. 368, H. 406 approved September 12, 1966, an Act relating to all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census; regulating the salaries of the members of the jury commission (Acts of Alabama Special Session 1966, p. 508).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Cook	Gilmore	Lybrand	Vacca	
Cooper	Givhan	Malone	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2346. To repeal Act No. 926, H. 1335 approved September 12, 1969, an Act relating to the Sanitary Barber Law and barber commission in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. II, p. 1665).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Harris	O'Bannon	Vacca	
Cook	Horne	Owen	Weaver	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2347. To repeal Act No. 370, S. 421 approved August 10, 1965, an act relating to the salary and allowance of members of governing body in counties having populations of not less than 65,000 nor more than 95,000 (Acts of Alabama 1965 Vol. I, p. 504).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Clark	Foshee	Lybrand	Shelby	
Cook	Gilmore	McLain	Vacca	
Cooper	Givhan	Malone	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2349. To repeal Act No. 1020, S. 871 approved September 12, 1969, an Act relating to the county governing body having authorization to provide payment of certain expenses incurred by the sheriff and members of the county governing body in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1900).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Malone	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond			—25

Nays: —0

The Bill:

H. 2460. Relating to counties having populations of not less than 56,500 nor more than 59,000; providing for the purchase of vehicles for the Sheriff's Department of said county; the upkeep, repair, and purchase of equipment for said vehicles; the purchase of uniforms for Sheriff's deputies, and expenses incurred in transporting prisoners and mental patients out of said counties from the Public Highway and Traffic Fund in said counties at the discretion of the County Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	Lybrand	Weaver	
Cook	Givhan	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2410. To amend the title and Section 1 of Act No. 432, H. 937, Regular Session 1961 (Acts 1961, p. 469) as last amended, which regulates the office of sheriff; authorizes the sheriff to employ certain personnel; provides for the payment of compensation to the sheriff and the employees of his office; provides for the deposit of all collections by that office; establishes certain exemptions for the sheriff; and designates certain duties to be performed by the sheriff's office in certain counties classified on a population basis.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 2410, to-wit:

SUBSTITUTE FOR H. B. 2410

A BILL
TO BE ENTITLED
AN ACT

To amend the Title, Section 1, Section 2, Section 3, Section 4, Section 5, Section 6, Section 7, and Section 8, of Act No. 432, H. 937, Regular Session 1961 (Acts 1961, p. 469) as last amended, which regulates the office of sheriff; authorizes the sheriff to employ certain personnel; provides for the payment of compensation to the sheriff and the employees of his office; provides for the deposit of all collections by that office; establishes certain exemptions for the sheriff; and designates certain duties to be performed by the sheriff's office in certain counties classified on a population basis of more than 150,000 and less than 180,000.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 432, H. 937, Regular Session 1961 (Acts 1961, p. 469) as last amended, is further amended to read as follows:

"An Act to regulate the office of sheriff in counties of more than 150,000 population and less than 180,000 population, according to the

last federal census or any subsequent federal census; to fix the compensation of the sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the sheriff of such counties from court costs; to exempt the sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the bond for the sheriff and to provide for the payment of sheriff's and deputies' bonds out of the county treasury; authorizing the sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective."

Section 2. Section 1 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 1. The sheriff in every county of more than 150,000 population and less than 180,000 population, according to the last federal census or any subsequent federal census, in which this Act applies shall be paid an annual salary of twelve thousand dollars net in lieu of all other compensation, fees, and emoluments, except as otherwise provided in this Act. The sheriff shall be allowed such number of deputies, clerks, wardens, jailers, and other assistants as may be determined by the sheriff with the approval of the court of county commissioners, board of revenue, or other like governing body of the county. In counties having merit or civil service systems, the selection and appointment of such deputies, clerks, wardens, jailers, or other assistants shall be made by the sheriff from the merit system roster; provided, the chief deputy sheriff shall be appointed by the sheriff independently of said roster and serve at the pleasure of the sheriff. In counties that do not have merit or civil service systems, the appointment of deputies and other assistants shall be made by the sheriff of the county as he sees fit. The compensation of such deputies, clerks, wardens, jailers and other assistants shall be fixed by the merit system board of the county, if any, according to the scale of wages as fixed by the merit board; but in counties that do not have merit systems, their compensation shall be fixed by the governing body of the county.

In addition to the compensation for the sheriff as hereinabove fixed, in counties under this Act having a court of common pleas, or courts of like jurisdiction, the sheriff shall be allowed the further sum of five hundred dollars per month for his ex officio services and for his attendance upon the sessions of the court of common pleas, or courts of like jurisdiction in the county. The sheriff shall also be allowed the necessary expenses, not to exceed one hundred fifty dollars per month, incurred in apprehending criminals or other law violators and returning prisoners from other states, to be approved by the board of revenue or other like governing body of the county.

All payments provided for in this section shall be paid monthly out of the general fund of the county."

Section 3. Section 2 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 2. The Board of Revenue, or court of like jurisdiction in such counties under this Act, are authorized, empowered and required to provide the sheriff with necessary quarters, books, stationery and other necessities and conveniences necessary to the operation of said office, and are hereby authorized, empowered and required to pay for the same out of the general funds of said county treasury."

Section 4. Section 3 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 3. The sheriff in every county of more than 150,000 population and less than 180,000 population, according to the last federal census or any subsequent federal census in which this Act applies shall pay into the county treasury of said counties, all costs, charges of the courts, fees and commissions now or that may be hereafter authorized by law to be collected by said sheriff. The Board of Revenue, or court of like jurisdiction of said counties, shall have the power and authority and it shall be their duty to audit the accounts of said sheriff for the purpose of requiring a strict compliance with the provisions of this Act."

Section 5. Section 4 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 4. The sheriff in every county of more than 150,000 population and less than 180,000 population, according to the last federal census or any subsequent federal census in which this Act applies shall not be taxed with or liable for costs, fees or charges of courts when such sheriff in his official capacity, or for acts done under color of his office, is made a party defendant to any action at law or in chancery; provided, however, that such sheriff shall be liable for the witness fees of witnesses summoned in his behalf when such sheriff is cast in the suit."

Section 6. Section 5 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 5. The sheriff in every county of more than 150,000 population and less than 180,000 population, according to the last federal census or any subsequent federal census in which this Act applies shall enter into bond in the penal sum of \$10,000 which bond shall be recorded, held and governed in all respects by all laws of this State relating to official bonds insofar as said laws are applicable, and all deputy sheriffs and wardens shall enter into bond in the penal sum of \$2,000 payable, conditioned and approved as is the bond of the sheriff, and such bond shall be recorded, held and governed in all respects by the laws of this State relating to official bonds insofar as said laws are applicable."

Section 7. Section 6 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 6. The sheriff in every county of more than 150,000 population and less than 180,000 population, according to the last federal census or any subsequent federal census in which this Act applies shall not be liable for the acts of his deputies unless he participates in such acts or the same are done in compliance with his orders or with his knowledge and consent; provided, however, that the sheriff and the sureties on his bond shall be liable for the misappropriation of money collected by any deputy sheriff under color of his office or in the course of his employments."

Section 8. Section 7 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 7. In the event the bond of the sheriff or any deputy in such county shall be executed by a guaranty, surety or bonding company, as surety, the amount of the annual premium to be paid to such company in consideration of such surety shall be paid by such county out of the county treasury as other obligations of such county are paid."

Section 9. Section 8 of said Act No. 432, H. 937, as last amended, is further amended to read as follows:

"Section 8. The sheriff in every county of more than 150,000 population and less than 180,000 population, according to the last federal census or any subsequent federal census in which this Act applies is authorized to employ an attorney to advise or represent him in his official capacity, and the compensation of said attorney shall be fixed at the sum of \$2,400.00 per annum and shall be paid in monthly installments by the county out of the general fund of said county."

Section 10. All laws, or parts of laws, in conflict herewith are hereby repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Clark	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Shelby	
Cooper	Givhan	Lybrand	Vacca	
Dominick	Hammond	McLain	Weaver	
Dozier	Harris	Malone	Wilder	
Edgington	Hawkins			—25

Nays:

—0

And said Bill, H. B. 2410, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edgington	Jones	Owen	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Shelby	
Cook	Gilmore	Lybrand	Vacca	
Cooper	Givhan	McLain	Weaver	
Dominick	Hammond	Malone	Wilder	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2461. Authorizing the county governing body of counties of not less than 56,500 population nor more than 59,000 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Leslie and/or Jo Ann Trawick to compensate for certain damages.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	McLain	Register	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2462. To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Vacca	
Clark	Glumore	Lybrand	Weaver	
Cook	Givhan	Malone	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2463. To apply to Houston County, relating to authority of said County to borrow additional money not to be used for any other purpose than that for which the general funds of the County may now be used; not to total more than \$50,000.00, with interest not to exceed 7% per annum; not to exceed one year in duration and not to mature later than February 1st of the year following that in which the loan is made.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2471. To authorize the Director of Conservation to open a season in Monroe County for the hunting of female deer or unantlered male deer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2472. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Monroe County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Noonan	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2473. To provide an expense account for coroners in Monroe County in lieu of all fees he now receives.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Pelham	Wilder	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2474. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of Monroe County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Noonan	Shelby	
Carr	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2475. Relating to Monroe County; authorizing county board of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register	
Bailes	Hammond	Malone	Shelby	
Branyon	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25

Nays: —0

The Bill:

H. 2476. Relating to Monroe County; providing additional expense allowances for members of the board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 2477. To apply in Monroe County, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Noonan	Wilder	
Cooper	Hammond	O'Bannon	Wilson	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2478. To provide clerical assistance for clerks of circuit courts of Monroe County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lybrand			—25

Nays:

—0

The Bill:

H. 2479. To provide for the compensation of the chief clerk of the judge of probate in Monroe County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Harris	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 2480. To apply in Monroe County, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Hammond	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2481. Relating to Monroe County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 2482. To provide a clerk for the county commission or other like governing body in Monroe County, to prescribe the duties of such clerk and to provide for his salary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 2483. Relating to Monroe County; providing for and regulating the compensation of the county engineer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Shelby	
Branyon	Fine	McLain	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2484. Relating to Monroe County; to provide further for the duties, compensation and expense allowances of the Monroe County Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cooper	Horne	Owen	Weaver	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2485. To authorize and direct the board of education of Monroe County to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Givhan	Lindsey	Pierce	
Carr	Hammond	Littleton	Register	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 2486. To provide for the appointment of additional deputy sheriffs in Monroe County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2487. Relating to Monroe County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lindsey			—25

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Register, further consideration of the Bill, H. B. 2496, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2497. To provide for supplemental salary to be paid by Henry County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Henry County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Branyon	Gilmore	Littleton	Vacca	
Carr	Givhan	Lybrand	Weaver	
Clark	Hammond	McLain	Wilder	
Cook	Harris	Malone	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 2507. Relating to counties having a population of not less than 15,650, nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Branyon	Fine	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

II. 2508. To amend the title and Section 1 of Act No. 492, H. 1046, Regular Session 1965 (Acts 1965, p. 712) which repeals special county excise taxes in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Branyon	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Shelby
Cook	Gilmore	McLain	Vacca
Cooper	Givhan	Malone	Wilder
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 2522. To provide that St. Clair County construct, repair, and maintain all county roads on the basis of the County as a unit without regard to district or beat lines; to designate the duty of the county governing body to employ a county engineer and the qualifications for said engineer; to fix and designate the duties, powers, and authority of said county engineer, and to fix the amount of his bond, provide for the approval of same and payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the county engineer as the person to make requisitions for road supplies and equipment; to designate the county engineer as custodian of all tools, machinery, supplies, and equipment relating to roads in St. Clair County; to provide for the setting aside of road funds by the county commission, and for the expenditure of the same; to provide for emergencies; to further provide the duties of the members of the county commission; to provide travel and other expenses for the members of the county commission in carrying out the duties imposed on them by the provisions of this Act; to repeal all laws in conflict with this Act, and to expressly repeal Act N. 168 of the Regular Session of the Legislature of 1953.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Pierce
Carr	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edington	Lybrand		

—25

Nays:

—0

The Bill:

H. 2523. To provide for a Personnel Appeals Board for St. Clair County and for any city over 5,000 population in said county; to prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County and any city in said county to which this act applies; and to give the act a retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Carr	Gilmore	Littleton	Pelham
Cook	Hammond	McLain	Register
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 2539. To repeal Act No. 712, H. 999, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1550), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Lindsey	Shelby
Branyon	Foshee	Lybrand	Vacca
Carr	Givhan	Malone	Weaver
Clark	Harris	Noonan	Wilder
Cooper	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2540. To repeal Act No. 609, H. 742, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1410), entitled, "An Act To

create an inferior court for counties having populations of not less than 22,372 nor more than 24,000; to replace county courts of counties having populations of not less than 22,372 nor more than 24,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Pelham	Wilder	
Cooper	King			—25

Nays: —0

The Bill:

H. 2541. To repeal Act No. 287, H. 934, approved August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing expense allowances for members of the governing bodies of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2542. To repeal Act No. 169, H. 156, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 236), entitled, "An Act To provide a clerk for the county commission or other like governing body in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census, to prescribe the duties of such clerk and to provide for his salary."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25

Nays: —0

The Bill:

H. 2543. To repeal Act No. 212, H. 165, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To apply in all counties having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			--25

Nays: —0

The Bill:

H. 2544. To repeal Act No. 113, H. 155, approved July 7, 1965, Regular Session 1965 (Acts 1965, p. 173), entitled, "An Act To provide for the appointment of additional deputy sheriffs in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hammond	Noonan	Shelby	
Clark	Harris	O'Bannon	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			--25

Nays: —0

The Bill:

H. 2545. To repeal Act No. 240, H. 284, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 324), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Cooper	Foshee
Bailes	Clark	Dominick	Gilmore
Branyon	Cook	Fine	Givhan

Hammond	Littleton	Pelham	Vacca	
Harris	Lybrand	Pierce	Wilder	
King	McLain	Shelby	Wilson	
Lindsey	Malone			—25
Nays:				—0

The Bill:

H. 2546. To repeal Act No. 239, H. 283, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 323), entitled "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Hammond	Noonan	Vacca	
Cook	Harris	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25
Nays:				—0

The Bill:

H. 2547. To repeal Act No. 210, H. 164, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 240), entitled, "An Act To provide for and regulate the compensation of county engineers of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Pierce	
Cooper	Harris	McLain	Register	
Dominick	Hawkins	Malone	Shelby	
Dozier	Horne	Noonan	Vacca	
Edington	Jones			—25
Nays:				—0

The Bill:

H. 2548. To repeal Act No. 288, H. 935, approved, August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), as amended, entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2549. To repeal Act No. 37, H. 106, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 251), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 22,350 nor more than 24,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2550. To repeal Act No. 541, S. 595, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1291), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Bailes	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	Lybrand			—25

Nays: —0

The Bill:

H. 2551. To repeal Act No. 196, S. 425, approved August 8, 1967, Regular Session 1967 (Acts 1967, p. 561), entitled, "An Act To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Gilmore	King	Pelham	
Branyon	Givhan	McLain	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2552. To repeal Act No. 231, H. 153, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 317), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Cook	Hammond	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Weaver	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2553. To repeal Act No. 232, H. 154, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 318), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Shelby	
Branyon	Fine	Lindsey	Vacca	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Lybrand	Wilder	
Cook	Harris	McLain	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2554. To repeal Act No. 168, H. 154, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 235), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; providing for payment of expense allowances for the chairman and members of the county governing body and imposing additional duties upon such county officers."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Clark	Givhan	McLain	Pierce	
Cook	Hammond	Malone	Register	
Cooper	Harris	Noonan	Shelby	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2555. To repeal Act No. 213, H. 167, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To authorize and direct the board of education of any county having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census, to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Bailes	Foshee	Lindsey	Register	
Branyon	Gilmore	Littleton	Vacca	
Carr	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2556. To repeal Act No. 144, H. 450, approved July 10, 1963, Regular Session 1963 (Acts 1963, p. 519), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Malone	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond			—25

Nays:

—0

The Bill:

H. 2557. To repeal Act No. 313, H. 743, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 344), entitled, "An Act To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 22,350 nor more than 24,500."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2558. To repeal Act No. 351, H. 873, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 22,350 nor more than 24,500, for the hunting of female deer or unantlered male deer."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Dozier	Givhan
Carr	Cooper	Fine	Hammond
Clark	Dominick	Gilmore	Harris

Hawkins	McLain	Pelham	Vacca	
King	Malone	Pierce	Weaver	
Littleton	O'Bannon	Shelby	Wilson	
Lybrand	Owen			—25
Nays:				—0

The Bill:

H. 2559. To repeal Act No. 211, H. 166, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 241), entitled, "An Act To provide clerical assistance for clerks of circuit courts of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25
Nays:				—0

The Bill:

H. 2561. To repeal Act No. 516, H. 1150, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 759), entitled, "An Act Relating to all counties having populations of not less than 22,350, nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Carr	Hammond	Malone	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Weaver	
Edington	Jones			—25
Nays:				—0

The Bill:

H. 2568. Relating to counties having populations of not less than 300,000 nor more than 600,000; to authorize the county commission of such county to appropriate funds for the relief of Nollie Thompson.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register
Branyon	Foshee	Littleton	Shelby
Carr	Givhan	Lybrand	Vacca
Clark	Harris	McLain	Weaver
Cook	Horne	Noonan	Wilder
Cooper	Jones	Pelham	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2571. To amend Act No. 126, H. 58, Special Session 1971, approved May 11, 1971, which Act provided for additional court costs in certain cases in the thirteenth judicial circuit, by excepting certain proceedings from said costs.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Pelham
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	Owen	Wilson
Edington	Horne		

—25

Nays:

—0

The Bill:

H. 2607. To fix the salary to be paid the Tax Collector of Jackson County, Alabama and the salary to be paid the Tax Assessor of Jackson County, Alabama, to provide the amounts of such salary for each of said officers, to provide for the employment of clerical assistants and the necessary expenses to operate said offices, and to provide for the payment of any fees, commissions or allowances received by such officers in the discharge of their official duties to the County Treasury of Jackson County, Alabama, which Act shall change the method of compensation of the Tax Collector and Tax Assessor of Jackson County, Alabama from the fee system to salary and to provide the effective date of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Hawkins	McLain	Vacca
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 2613. To repeal Act No. 554, H. 1124, Regular Session 1969 (Acts 1969, p. 1038), entitled "An Act To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Register
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2614. To apply only in counties having populations of not less than 52,500 nor more than 54,000; Relating to the board of registrars; further regulating the days, hours, and places of its meetings, and the compensation of its members; requiring forfeiture of certain compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, p. 403).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Malone	Register
Clark	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 2615. Relating to certain offices and officers of Dale County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pelham
Carr	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Register
Cook	Gilmore	Lybrand	Shelby
Cooper	Givhan	McLain	Vacca
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 2616. To consolidate and combine the offices of circuit clerk and register in equity for Dale County; and to provide compensation for such office subject to the ratification of a constitutional amendment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Fine	McLain	Register	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2618. Relating to Dale County; prohibiting the sale of alcoholic beverages in certain places.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2619. To apply in counties having populations of not less than 25,150 nor more than 26,500; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Law and Equity Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences for Continuing Legal Education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Clark	Givhan	Littleton	Pelham	
Cook	Hammond	McLain	Pierce	
Cooper	Harris	Malone	Register	
Dominick	Hawkins	Noonan	Shelby	
Dozier	Horne	O'Bannon	Vacca	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2620. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Weaver	
Clark	Hammond	Lybrand	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2625. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Hammond	O'Bannon	Vacca	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2626. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2627. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Vacca	
Clark	Hammond	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2629. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings, including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the $\frac{1}{4}$ of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Givhan	Lindsey	Pierce	
Clark	Hammond	Littleton	Register	
Cook	Harris	McLain	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2630. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2632. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2633. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2634. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Vacca	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2635. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	McLain	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2636. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	Littleton	Vacca	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Owen	Wilder	
Dominick	Horne	Pelham	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2637. To authorize and make provisions for the incorporation in any county having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census, of an authority as a public corporation for the purpose of constructing, leasing, building, installing, acquiring, owning, operating, maintaining, equipping, using and controlling marianas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial

sites, industrial and factory buildings, and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in connection therewith; to provide that in order for any such authority to be organized application be made to the governing body of the county in which said authority is to be organized and to the governing body of at least one municipality therein, and that permission for organization of such authority be granted by such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to provide that the county in which any authority has been organized and each municipality which duly authorized the authority may aid and cooperate in the planning, undertaking construction, extension, improvement or operation of facilities as described therein, and may lend or donate to such authority money, property, or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking construction, and operation of facilities of an authority organized pursuant to this act; to authorize the issuance by such authority of interest-bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of such bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge by any of the revenues of such authority to which its right then exists or may thereafter come into existence, and by foreclosable mortgage on any property of such authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture by the said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding and effective against third parties without notice from the time a statement thereof is filed in the Office of the Judge of Probate of the county in which such authority is organized, and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Gilmore	King	Pelham	
Clark	Givhan	Lindsey	Pierce	
Cook	Hammond	Littleton	Register	
Cooper	Harris	Lybrand	Shelby	
Dominick	Hawkins	McLain	Vacca	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2653. Relating to all counties having populations of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2654. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Givhan	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2659. To provide for the compensation for a member of the county commission elected or appointed as chairman of the county commission in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2660. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969, (Acts 1969, p. 426), which provided for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Givhan	Noonan	Wilder	
Cook	Hammond	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 2678. To abolish the Inferior Court of St. Clair County and to create and establish in lieu thereof a new Inferior Court System for St. Clair County, Alabama; to define and prescribe its jurisdiction, powers and venue; to provide for the judges and other officers of said court, their powers, duties, tenure and compensation; to set costs of court; to provide rules of procedure for said court and the operation thereof; to provide for the time and place of the holding of said court; to repeal conflicting laws and provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pelham	
Bailes	Hammond	Lybrand	Pierce	
Carr	Harris	McLain	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2686. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, electing to come under the provisions of this Act; providing additional and alternate methods for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits and the transfer of ownership of motor vehicles; relating to the collection and issuance of other county licenses, providing exception; creating a county license department and providing for the appointment, qualifications, term, duties and authority of the director and deputy director; transferring certain duties, liabilities, and responsibilities of the tax collector, tax assessor and probate judge to such department; providing for the method by which a county to which this Act applies can elect to come within or withdraw from the

provisions of this Act; providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2687. To authorize the charging of a "convenience fee" in the amount of 25 cents on the sale of any hunting or fishing licenses sold in Madison County by any special agent who sells hunting or fishing licenses in the City of Huntsville under authority granted pursuant to the provisions of Act No. 623, H. 351, p. 1032, Acts of Alabama, 1951 Regular Session of the Alabama Legislature; prescribing penalties for the violation of the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Register	
Branyon	Fine	Lindsey	Shelby	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	McLain	Weaver	
Cooper	Hammond	Noonan	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2688. To authorize the governing body of Madison County to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by the county under the authority of this act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Hammond	McLain	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2689. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pierce	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Givhan	Littleton	Vacca	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2690. Relating to all counties having not more than 61,000 nor less than 57,000 inhabitants according to the last or any subsequent federal decennial census; to empower the boards of registrars in such counties to designate clerks of cities within such counties and chief clerks of the probate courts in such counties to act as deputy registrars; to prescribe the duties and powers of said deputies and the methods by which application may be taken by said deputies, and to determine the hours during which the boards of registrars shall operate in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pierce	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Weaver	
Cook	Hawkins	Malone	Wilder	
Cooper	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

MOTION IN WRITING

Mr. Carr offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"I move that H. B. 2243 which has passed the Senate, be recalled from the House for further consideration."

Which was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1537. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1537, to-wit:

AMENDMENT TO HOUSE BILL 1537

Amend House Bill 1537, as amended, as follows:

Delete the words and figures "four per centum 4%" wherever they appear and substitute in lieu thereof "three and one-half per centum (3.50%)".

Delete the figure "4%" wherever it appears and substitute in lieu thereof "3.50%".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce
Balles	Fine	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Hammond	Noonan	Vacca
Cook	Hawkins	Owen	Wilder
Dominick	Jones	Pelham	Wilson
Dozier	King		

—25

Nays:

—0

And said Bill, H. B. 1537, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce
Bailes	Fine	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Hammond	Noonan	Vacca
Cook	Hawkins	Owen	Wilder
Dominick	Jones	Pelham	Wilson
Dozier	King		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate to return to the Senate for further consideration the Bill.

H. 2243. To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; and to establish the effective date of the act.

And sends same herewith to the Senate.

JOHN W. PEMBERTON,
Clerk.

BILL RECONSIDERED

On motion of Mr. Carr, the Senate reconsidered the vote by which the Bill, H. B. 2243, the title of which is set out in the foregoing Message from the House, was passed.

On motion of Mr. Carr, the Senate reconsidered the vote by which the Bill, H. B. 2243, was ordered to its third reading.

Mr. Carr then offered the following substitute for the Bill, H. B. 2243, to-wit:

SUBSTITUTE FOR H. B. 2243

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; to provide a procedure for removing the limitation; and to establish the effective date of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Arab in Marshall County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, certain land lying and being in Marshall County and more particularly described as follows:

TRACT "A"

Starting at the SW corner of the NW¼ of the NW¼ of Section 22, Township 8 South, Range 1 East, a point on the existing city limits; thence North 5,280 ft. to the SW corner of the NW¼ of the NW¼ of Section 15, Township 8 South, Range 1 East; thence East 5,280 ft. to the NE Corner of the SE¼ of the NE¼ of Section 15, Township 8 South, Range 1 East; a point on the existing city limits, thence along the existing city limits to the point of beginning.

TRACT "B"

Starting at the SE corner of the NW¼ of the NW¼ of Section 19, Township 8 South, Range 2 East, a point on the existing city limits; thence East to the intersection of the center line of Clemons Branch; thence in a generally Northeasterly direction along the center line of Clemons Branch to the intersection of the center line of Shoal Creek; thence in a generally Northwesterly direction along the center line of Shoal Creek to a point on the North line of Section 17, Township 8 South, Range 2 East; thence West along said line to the NW corner of said Section 17; thence continue West 10,560 ft. to the NW corner of Section 13, Township 8 South, Range 1 East; thence North 6,600 ft. to the NE corner of the SE¼ of the SE¼ of Section 2, Township 8 South, Range 1 East; thence West 6,600 ft. to the NW corner of the SE¼ of the SE¼ of Section 3, Township 8 South, Range 1 East; thence South 1,320 ft. to the SW corner of said ¼; thence East 1,320 ft. to the SE corner of said Section 3; thence South 5,280 ft. to the SW corner of Section 11, Township 8 South, Range 1 East, to a point on the existing city limits, thence along the existing city limits to the point of beginning.

Section 2. The sanitary sewer board of the City of Arab is hereby expressly prohibited from increasing its existing services and functions in the area annexed to the City of Arab under this act for a period of 10 years or until such time as this restriction is removed by the qualified electors residing in the annexed area as hereinafter provided.

Section 3. Before the services and functions of the sanitary sewer board of the City of Arab can be increased or added to in the annexed area during the 10-year period succeeding the passage of this act, the qualified electors residing in the area shall vote in an election called by the governing body of the City, at the request of 25 percent of the voters residing in the annexed area, on the proposition of whether or not they desire to accept the services of the sanitary sewer board of the City of Arab. The proposition of whether or not such voters desire to accept the services of said sanitary sewer board shall be put: "For acceptance of sewer board services" or "Against acceptance of the sewer board services". The vote on such proposition shall be ascertained and certified in the same manner as are the results of other special elections held in municipalities in Alabama. If a majority of the voters vote for acceptance of sanitary sewer board services, such services shall be provided for the area annexed, and if a majority of such voters vote against the acceptance of such services, such services shall not be provided for the said annexed area.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective on October 15, 1971, upon its prior passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

And said Bill, H. B. 2243, as thus amended by the substitute, was again read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

H. 2695. To apply to counties having a population of not less than 34,100, nor more than 34,900, according to the most recent federal decennial census. Authorizing and empowering the County Commission or other county governing body to divide or redivide the County into Commission Districts and to otherwise provide for the election of the members of the Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Hammond	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 1411. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Givhan	Lybrand	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1413. To amend further Section 1 of Act No. 192, H. 252, First Special Session 1964 (Acts 1964, p. 256), an Act providing an annual allowance for purchasing uniforms for deputies sheriff in counties having populations of not less than 300,000 nor more than 500,000, so as to regulate further the amount of such allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	McLain	Shelby	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Harris			—25

Nays:

—0

The Bill:

H. 1416. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pelham	
Carr	Gilmore	Littleton	Register	
Cook	Givhan	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1419. Relating to Mobile County, authorizing the county governing body to appropriate and expend county funds for the purpose of paying certain expenses incurred by members of the auxiliary forces

of the sheriff's department or by any member of a posse comitatus summoned by the sheriff to aid him in conserving the peace of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Branyon	Fine	Lindsey	Pelham	
Carr	Gilmore	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	McLain	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1971. Relating to Mobile County; to provide that any monies in the county public highway and traffic fund may be used to pay the salary of any deputy sheriff whose duties require him to patrol the public roads and highways of Mobile County; and to make provisions of this Act retroactive to January 1, 1967.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	O'Bannon	
Bailes	Foshee	King	Pelham	
Branyon	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 2206. Relating to municipalities having populations of not less than 40,000 nor more than 45,000; to provide for the power to fine, punish, imprison, and sentence to hard labor, prisoners in city jails; to compensate prisoners sentenced to hard labor not to exceed two dollars for each day's service.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Carr	Givhan	Littleton	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2228. Relating to Chambers County; providing for the construction, maintenance and repair of public roads, highways, bridges and

ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Chambers County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Carr	Foshee	McLain	Shelby	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2309. To apply only to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; relieving the chief clerk of the probate judge of such counties of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	Malone	Shelby	
Cook	Hammond	Noonan	Vacca	
Dominick	Harris	Owen	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2352. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing authorization for the superintendent of the Public School System in any such county to disburse funds for meals, travel, room and board as provided.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Harris	O'Bannon	Wilder	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 796. To authorize the governing body of any county having a population of 500,000 or more, according to the last or any subsequent federal census, to use equipment and personnel of the county in improving, beautifying and preparing, any land in the county for public park purposes or recreational purposes, subject to the terms, conditions and restrictions prescribed in this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Vacca
Clark	Harris	Noonan	Weaver
Cook	Hawkins	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1076. To authorize and empower the County Commission, Board of Revenue or other governing body of all counties having a population of 600,000 or more according to the last or any subsequent decennial federal census to authorize, approve and pay from the general funds of the county, all necessary and reasonable expenses incurred by the Judge of Probate and his chief assistants in attending conferences and instructional meetings of the Alabama Probate Judges Association and Continuing Legal Education Division of the University of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Foshee	King	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1214. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Dozier	Foshee
Bailes	Cook	Edington	Gilmore
Carr	Dominick	Fine	Hammond

Hawkins	Littleton	Owen	Register	
Horne	McLain	Pelham	Vacca	
Jones	Noonan	Pierce	Weaver	
King	O'Bannon			—25
<i>Nays:</i>				—0

The Bill:

H. 2647. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Bailes	Gilmore	Lindsey	Register	
Carr	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25
<i>Nays:</i>				—0

The Bill:

H. 1520. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), and as amended by Act No. 670, approved September 16, 1953 (General Acts of Legislature of Alabama, 1953, page 927).

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1520, to-wit:

AMENDMENT TO HOUSE BILL 1520

Amend H. B. 1520 as amended by deleting page 3 and substituting in lieu thereof the following:

"authority may, from time to time, peremptorily suspend any employee without pay or other compensation, and without the right of a hearing, as punishment for improper behavior, but any one suspension shall not exceed five days and the total suspension by such appointing authority of such person shall not exceed ten days in any year of service. Such suspension with loss of pay may be effected only by service upon the employee by the appointing authority of written charges setting out clearly the delinquency for which such suspension was made, a copy of which must be at the same time mailed or delivered to the Director. The suspended employee shall have the right to file with the Board and the appointing authority a written answer or explanation of such charges.

Section 2. That all laws or parts of laws which conflict with the provisions of this Act are hereby expressly repealed.

Section 3. That this amendatory Act shall become effective upon passage.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	McLain	Register	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

And said Bill, H. B. 1520, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	McLain	Register	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2667. To repeal Act No. 40, H. 63, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2662), entitled, "An Act to permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	McLain	Weaver	
Cook	Harris	Malone	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2668. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Register
Branyon	Gilmore	Littleton	Shelby
Carr	Hammond	Malone	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Hawkins	Owen	Wilson
Cooper	Horne		

—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Dozier, further consideration of the Bill, H. B. 2670, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED**The Bill:**

H. 2672. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Shelby
Carr	Hammond	Malone	Weaver
Clark	Harris	Noonan	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 2673. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2674. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 2674, to-wit:

AMENDMENT TO H. B. 2674

Section 2 of H. B. 2674 is hereby amended by deleting the comma after the word "year" in the sixth line thereof and inserting the following words between the words "year" and "payable" in said sixth line, viz:

and an expense allowance of \$400 a year,

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Givhan	Lybrand	Pierce	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones			—25

Nays:

—0

And said Bill, H. B. 2674, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Branyon	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2675. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Noonan	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2677. To fix the salaries and allowances of certain officers in St. Clair County and to provide for clerical assistance, office space, equipment and supplies necessary for the conduct of their offices; to remove the Register from the fee basis, placing Register on salary, basis of compensation and fixing salary thereof; provide that all fees charged or collected by certain officers of the county be paid into the county treasury; repeal all acts or parts of acts in conflict with this Act; provide for a referendum election to be held pursuant to Amendment 196 of the Alabama Constitution of 1901.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	Lindsey	Shelby	
Carr	Foshee	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2131. For the purpose of enforcing the laws relative to children; to define further a delinquent child in all counties having populations of not less than 60,000 nor more than 65,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Cooper	Gilmore
Bailes	Clark	Fine	Givhan
Branyon	Cook	Foshee	Hammond

Harris	Littleton	Pelham	Shelby	
Horne	Lybrand	Pierce	Vacca	
King	McLain	Register	Wilson	
Lindsey	Malone			—25
<i>Nays:</i>				—0

The Bill:

H. 2202. To provide each county commissioner and the chairman of each county commission in counties having populations of not less than 17,000 nor more than 20,000 an expense allowance, such allowance to be payable out of the general fund of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Branyon	Foshee	McLain	Shelby	
Carr	Gilmore	Noonan	Vacca	
Cook	Givhan	O'Bannon	Weaver	
Dominick	Harris	Owen	Wilder	
Dozier	Horne	Pierce	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

The Bill:

H. 2311. To provide that the county commission shall set the salary of deputy sheriffs at an amount not to exceed \$700 per month in counties having a population of not less than 17,000 nor more than 20,000 according to most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Clark	Foshee	Malone	Shelby	
Cook	Gilmore	Noonan	Vacca	
Cooper	Givhan	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Wilson, further consideration of the Bills, S. B.'s 1226 and 1228, was indefinitely postponed by the Senate.

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and, in the absence of objection to waiving Senate Rule 52 (a), they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pelham:

S. 1263. Relating to property taxation; to make it the duty of and to give the power and authority to the tax assessors and boards of equalization of each county in this state to equalize, value and assess in accordance with law all property in their respective counties; for the purpose of funding a program of equalizing property taxes, to authorize the governing bodies of counties in this State to make temporary loans in anticipation of the collection of taxes; to amend section 131, Title 51, Code of Alabama 1940 relating to the powers and duties of the department of revenue; and to repeal sections 132, 133, 134 and 135, Title 51, Code of Alabama 1940, all relating to the valuation and assessment of property subject to taxation.

By Messrs. Fite, Mathews and Casey:

H. 29. To provide that any person who is an employee or retired employee of the State and covered by or retired under the State Employee Retirement System and who becomes director or other employee of any department may elect to continue or resume his participation in said retirement system, and to provide that the appropriate department may expend any funds appropriated to it for matching such employee's contributions to the retirement system under the provisions of this Act.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Drake (with amendments):

H. 689. Relating to highways; To control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lyons, et al:

H. 875. To raise revenue by levying an excise and privilege tax on every person engaged in the severance of coal from the soil in this state; to provide for the collection, payment and administration of such tax; to provide for the use of the proceeds of such tax; to provide for refunds of excess taxes; to provide for penalties for violation of the provisions of this Act; and to provide for eventual termination of such tax.

By Mr. Lyons:

H. 876. To amend the title to and Sections 4, 5 and 8 of Act No. 64, S. 63, Special Session of 1971, approved April 29, 1971, entitled, "An Act to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding

\$15,000,000 principal amount of revenue bonds for the purpose of the construction, improvement and equipment of additional seaport facilities at the Port of Mobile for the handling and storage of coal, coke, or any other materials in bulk or containers, or any other method of shipment, to authorize the Department to make temporary loans by the sale and issuance of its bond anticipation notes and to pay such notes and the interest thereon out of proceeds from the sale of the bonds herein authorized; to provide for the details of the bonds and notes issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of the said Department derived from the facilities constructed with the proceeds of the said notes and bonds, except that the notes shall also be payable out of the proceeds from the sale of the bonds; to provide for and authorize the pledge of the gross revenues of the said facilities for payment of the said principal and interest and that such pledge will constitute the first charge on the revenues so pledged; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing or any pledge or instrument securing, the said bonds; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits or funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful for the investment of fiduciary funds; to authorize the investment of proceeds of the bonds and the notes not presently needed for the purposes for which they are issued; and to provide that the provisions of this Act shall be severable and any portion hereof that may be held invalid shall not affect the remaining portions," so as to include in the revenues pledged to the retirement of the said bonds and notes the proceeds from a coal severance tax and to restrict the monies pledged from the revenues of the Alabama State Docks facility itself to the proceeds from a certain handling charge authorized for this express purpose, and to authorize the Alabama State Docks Department to impose and collect a special handling charge on coal.

By Mr. Stubbs:

H. 2250. To require that any person whose driving license has been canceled, suspended or revoked by the Director of Public Safety or any court of competent jurisdiction shall pay a fee to the Department of Public Safety upon application for reinstatement of such license, and to provide that all fees so collected by the Director shall be deposited into the General Fund of the State of Alabama.

By Mr. Stubbs:

H. 2251. Relating to the furnishing of operating record by the Director of Public Safety and the cost thereof, and amending Section 3 of Act No. 704, General Acts of Alabama 1951, as amended by Act No. 707, General Acts of Alabama 1961, approved September 8, 1961.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Wise, Jackson and Benton (with amendment):

H. 383. To provide for license tags on boat trailers; to provide for the cost thereof and to provide for the disposition of the proceeds therefrom.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Taylor, et al:

H. 434. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

By Mr. Stokes, et al:

H. 974. To amend Title 51, Section 223 Code of Alabama, 1940 so as to exempt tax collectors from filing an itemized report on the First day of January of each year and remitting five days thereafter.

By Messrs. St. John, Crawford and Connell:

H. 1068. To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof: fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

By Mr. Doss, et al:

H. 1252. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

By Mr. Doss, et al:

H. 1253. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial

relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation; so as to strengthen grading requirements of affected land.

By Mr. Doss, et al:

H. 1254. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

By Mr. Doss, et al:

H. 1255. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

By Mr. Doss, et al:

H. 1256. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any group of citizens of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

By Mr. Culver, et al:

H. 1399. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

By Mr. St. John:

H. 1989. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, paries to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

By Mr. St. John:

H. 1990. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

By Mr. Jones (F):

H. 2051. To amend Section 9 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to provide additional court costs for violations of State conservation laws or regulations which will be used for the benefit of the retirement fund.

By Mr. Ellis, et al:

H. 2067. To further amend Section 3 of Act No. 574 of the 1963 Regular Session of the Legislature of Alabama, approved September 16, 1963, entitled "To provide further for assistance to blind persons" as heretofore amended.

By Mr. Ellis, et al:

H. 2068. To provide further for assistance to blind persons and to assure that no child shall be denied assistance under Act No. 574 of the 1963 Regular Session of the Legislature of Alabama, approved September 16, 1963, as amended, by reason of age.

By Mr. Connell, et al:

H. 2083. To prohibit the giving of worthless checks, drafts or other written orders for money; to give definition to certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Re-compiled 1958.

By Messrs. Collins, Therrell and Callahan:

H. 2205. Relating to explosives; prohibiting the unlawful transportation and possession thereof; prohibiting the damage of property by explosives, and the threat to do such damage, and prescribing penalties for violations of this act.

By Mr. Barkett, et al:

H. 2239. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

By Messrs. St. John, Drake and McDonald:

H. 2785. To amend further Section 125 of Title 12, Code of Alabama 1940, as amended, which relates to the interest rate, amount, and maturity of temporary loans made by county governing bodies in anticipation of taxes, in order to revise the amount and interest rate of such loans.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and, in the absence of objection to waiving Senate Rule 52 (a), they were severally read a second time and placed on the calendar, to-wit:

By Mr. McClain (with notice and proof):

S. 1255. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

By Mr. McClain (with notice and proof):

S. 1256. Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and

promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

By Mr. McLain (with notice and proof):

S. 1257. To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Four (\$4.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

By Mr. McLain:

S. 1258. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be deposited in the general fund of such counties.

By Mr. McLain (with notice and proof):

S. 1259. To change the method of compensating the Sheriff of Madison County.

By Mr. McLain:

S. 1260. Relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith.

By Mr. Harris:

S. 1262. To amend further the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49), as amended, which provides for expense for members of the boards of education in certain counties classified on a population basis.

By Mr. McLain (with notice and proof):

S. 1264. Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

By Mr. Hammond:

S. 1265. Relating to all counties having populations of not less than 41,750 nor more than 45,000; providing for compensation or salary of the register of the circuit courts of such counties.

By Mr. Hammond:

S. 1266. To apply only in counties having populations of not less than 41,750 nor more than 45,000; providing an expense allowance for judges of the county court in such counties.

By Mr. Lybrand:

S. 1267. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act.

By Messrs. Edington, Pelham and Noonan:

S. 1268. To provide for funds for maintenance, operation and expansion of county mosquito, rodent and other vector control programs within the county health department under the direction of the county health officer in all counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, requiring financing by a one (1) mil property tax.

By Mr. Weaver (with notice and proof):

S. 1269. Relating to judicial procedure in the Twenty-Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

By Mr. Weaver (with notice and proof):

S. 1270. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Ninth Judicial Circuit of Alabama.

By Mr. Weaver (with notice and proof):

S. 1271. To abolish the drawing of special venires in capital cases in the Twenty-Ninth Judicial Circuit of Alabama.

By Mr. McLain:

S. 1272. To amend the title and Section 1 of Act No. 794, H. 1384, of the 1961 Regular Session, pertaining to the coroner in counties having a population of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census, so as to make the same applicable only to counties having a population of 150,000 nor more than 180,000 according to the last or any federal decennial census.

By Mr. McLain:

S. 1273. To amend the title and Section 1 of Act 203, H. 169, 1966 Ex. Sess., pertaining to an expense allowance for circuit court judges in counties having a population of not less than 150,000 nor more than 300,000, according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000, and to counties having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census.

By Mr. McLain:

S. 1274. To amend Act No. 591, H. 972, 1965 Regular Session, pertaining to probate recording systems in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census, so as to make the same apply only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any federal decennial census.

By Mr. McLain:

S. 1275. To amend Act No. 323, H. 828, 1959 Regular Session, pertaining to exemption of medical research facilities from building and zoning restrictions and other regulations in counties having a population of not less than 125,000 nor more than 225,000 according to the most recent federal decennial census so as to make the same applicable only to counties having populations of not less than 150,000 and not more than 180,000 according to the last or any subsequent decennial census.

By Mr. McLain:

S. 1276. To amend the title and Section 1 of Act No. 428, H. 933, of the 1961 Regular Session, pertaining to the establishment of a personnel system in counties having a population of not less than 150,000 nor more than 300,000 and for municipalities in such counties having a population of 5,000 or more people, according to the last or any federal decennial census, so as to make the same applicable only to counties having a population of not more than 150,000 nor less than 180,000 according to the last or any federal decennial census.

By Mr. McLain:

S. 1277. To amend the Title in Section 1 of Act 25, H. 47, 1962 Ex. Sess., p. 36, applying to the payment of benefits when employee is disabled or killed in counties having a population of 150,000 nor more than 300,000 according to the last or the 1960 or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

By Mr. McLain:

S. 1278. To amend the title and Section 1 of Act No. 416, H. 917, 1955 Regular Session, approved September 9, 1955, pertaining to employees pensions in counties having a population of not less than

125,000 nor more than 225,000 according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

By Mr. McLain:

S. 1279. To amend the title and Section 1 of Act No. 321, S. 344, 1955 Regular Session, approved August 30, 1955, pertaining to pension or retiring allowance plan for employees in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent decennial census.

By Messrs. Cross and Carter:

H. 218. To amend the title and Section 1 of Act No. 684, H. 942, Regular Session 1967 (Acts 1967, p. 1510), relating to counties whose roads and bridges are constructed, maintained and repaired by the State highway department; forbidding the judge of probate of any such county to remit to the highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof in certain counties classified on a population basis.

By Mr. Fite (with notice and proof):

H. 547. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Weston, in Marion County, Alabama.

By Mr. Fite:

H. 878. To amend the title and Section 1 of Act No. 357, H. 903, Regular Session 1969 (Acts 1969, p. 730), which act provides an expense allowance for the county engineer payable from county general funds, in certain counties classified on a population basis.

By Mr. Reed (T):

H. 1263. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census; to extend the juvenile jurisdiction of probate courts or any court authorized by law to exercise such juvenile jurisdiction to children under eighteen years of age.

By Mr. Reed (T):

H. 1265. Relating to all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

By Mr. Roberts:

H. 1415. Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases and the use of the proceeds thereof.

By Mr. Smith (K) (with notice and proof):

H. 1967. Relating to Tallapoosa County; to require that any person, firm or corporation distributing beer, ale or other brewed alcoholic

beverage for resale shall be required to have a warehouse, or warehouses, located in said county in which said beer, ale or other brewed alcoholic beverages must be stored before they are sold by said wholesale distributor; and prescribing penalties for the violation of this Act.

By Mr. Gray (F):

H. 2179. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing a clerk hire allowance for the Sheriff of said counties payable out of the general funds of the county.

By Messrs. Pruitt and Manley (with notice and proof):

H. 2256. Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

By Mr. Grey (D) (with notice and proof):

H. 2468. To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama.

By Messrs. Benton and Kinsey (with notice and proof):

H. 2450. To levy in Baldwin County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Baldwin County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purpose of this act; to provide that the revenue derived from the tax shall be paid into the General Fund of Baldwin County; and to prescribe additional penalties for certain violations.

By Messrs. Cottingham and Turner:

H. 2488. To apply only in counties having populations of not less than 54,500 nor more than 56,000; to provide further for the distribution of fines and forfeitures in certain cases.

By Messrs. McDonald, Drake and St. John:

H. 2578. Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act.

By Mr. Reed (T):

H. 2608. Relating to all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reed (T) (with amendment):

H. 2609. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reed (T):

H. 2610. To provide that the county commissions of all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The Chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

By Mr. Reed (T):

H. 2611. Relating to counties having populations of not less than 11,500 and no more than 12,500, according to the most recent decennial census; authorizing the governing body of every such county to provide the sheriff of the county an allowance for clerk hire.

By Messrs. Carnes, Waldrop and Wynot:

H. 2649. To authorize the Registers of all Circuit Courts, in all Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal Decennial Census, to destroy all documents, papers, exhibits, receipt books and cancelled checks filed in Equity cases in such Courts after the expiration of Twenty (20) years from the filing date of the final decree in such cases, and making the Minute and Final Record Books the official Court Records of such destroyed documents and papers; but no authority is given herein to destroy the Docket Sheets, Minute Books, Final Record Books or indices in such cases.

By Messrs. Smith (K):

H. 2652. Relating to all counties having populations of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

By Messrs. Carter and Cross (with notice and proof):

H. 2663. To alter, rearrange or extend the boundary lines of the City of Athens in Limestone County, Alabama, so as to include within the corporate limits of said city all territory now within said corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

By Messrs. Gray (F) and Reed (T) (with notice and proof):

H. 2679. To establish a court of limited jurisdiction in criminal cases and civil actions at law in Bullock County, Alabama; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

By Messrs. Baker, Williams and Chesnut:

H. 2693. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

By Messrs. Naramore and Crowe (with notice and proof):

H. 2698. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sumiton, in Walker County.

By Messrs. Naramore and Crowe (with notice and proof):

H. 2699. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sumiton, in Walker County.

By Messrs. Turnham, Adams and Brassell:

H. 2701. To authorize the county board of education of any county having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

By Messrs. Crowe and Naramore:

H. 2715. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

By Messrs. Warren and Mims (with notice and proof):

H. 2721. Relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five.

By Mr. Fite (with notice and proof):

H. 2725. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Hackleburg, in Marion County, Alabama.

By Mr. Grey (D):

H. 2726. To repeal Act No. 42, H. 99, Approved September 23, 1965, Second Special Session 1965 (Acts 1965, p. 58), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds."

By Mr. Grey (D):

H. 2727. To repeal Act No. 58, H. 60, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 383), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds."

By Mr. Grey (D):

H. 2728. To repeal Act No. 59, H. 61, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 384), entitled, "An Act To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

By Mr. Grey (D):

H. 2729. To repeal Act No. 57, H. 59, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 382), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors."

By Mr. Grey (D):

H. 2730. To authorize the county boards of education in all counties having populations of not less than 14,000 nor more than 15,000 according to the last or any subsequent federal decennial census, to furnish certain supplies and services heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

By Mr. Grey (D):

H. 2731. To repeal Act No. 1247, H. 1562, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2348), entitled, "An Act Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county."

By Mr. Grey (D):

H. 2732. To amend the title and Section 1 and repeal Section 3 of Act No. 710, H. 1186, Regular Session 1965 (Acts 1965, p. 1313) which regulates further the duties and compensation of members of the county commission or like governing body in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2733. To amend the title and Sections 1 & 2 of Act No. 705, H. 988, Regular Session 1967 (Acts 1967, p. 1536) which prescribes the salary and manner of payment of certain deputies sheriff in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2734. To amend the title and Section 1 of Act No. 706, H. 989, Regular Session 1967 (Acts 1967, p. 1537) which regulates the compensation of the county superintendent of education in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2735. To amend the title and Section 1 of Act No. 158, H. 179, Special Session 1969 (Acts 1969, p. 225) which provides an additional allowance for travel for members of the board of equalization in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2736. To repeal Act No. 21, H. 98, approved September 21, 1965, 2nd Special Session 1965 (Acts 1965, p. 35), entitled, "An Act To regulate expense allowances for the superintendent of education in counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

By Mr. Grey (D):

H. 2737. To amend the title and Section 1 of Act No. 98, H. 106, Special Session 1966 (Acts 1966, p. 132) which regulates the expense allowances for the superintendent of education in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2738. To repeal Act No. 219, H. 821, approved August 6, 1965, Regular Session 1965 (Acts 1965, p. 305), entitled, "An Act To amend Section 1 of Act No. 106, H. 98, First Special Session 1964 (Acts 1964, p. 167), an act relating to counties having populations of not less than 13,700 nor more than 14,300."

By Mr. Grey (D):

H. 2739. To repeal Act No. 141, H. 159, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 192), entitled, "An Act To fix the salary of the county superintendent of education in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

By Mr. Grey (D):

H. 2740. To amend the title and Section 1 and to repeal Section 3 of Act No. 1093, S. 908, Regular Session 1969 (Acts 1969, p. 2027) which provides for the election and qualifications of members of the county commission, or other like governing body in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2741. To repeal Act No. 106, H. 98, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 167), entitled, "An Act To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

By Mr. Grey (D):

H. 2742. To amend the title and Section 1 of Act No. 129, H. 97, Special Session 1964 (Acts 1964, p. 184) which regulates the closing of offices in the courthouse in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2743. To amend the title and Section 1 of Act No. 34, H. 102, 3rd Special Session 1965 (Acts 1965, p. 245) which authorizes the county governing bodies to appropriate and use certain county funds and to

designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2744. To amend the title and Section 1 of Act No. 97, H. 105, Special Session 1966 (Acts 1966, p. 132) which regulates the compensation of election officers in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2745. To amend the title and Section 1 of Act No. 131, H. 58, Regular Session 1967 (Acts 1967, p. 469) which fixes the compensation of the coroner in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2746. To amend the title and Section 1 of Act No. 153, H. 642, Regular Session 1969 (Acts 1969, p. 429) which increases the salary of the deputy solicitor in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2747. To repeal Act No. 507, H. 937, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 605), entitled, "An Act To fix the compensation of the county superintendent of education in all counties having a population of not more than 14,350 nor less than 13,650, according to the 1960 or any subsequent federal decennial census."

By Mr. Grey (D):

H. 2748. To amend the title and Section 1 and to repeal Section 2 of Act No. 52, H. 116, Special Session 1962 (Acts 1962, p. 70) which provides an additional deputy sheriff whose compensation shall be payable from the county highway and traffic fund in certain counties classified on a population basis.

By Mr. Grey (D):

H. 2749. To amend the title and Section 1 of Act No. 950, H. 1373, Regular Session 1969 (Acts 1969, p. 1683) which fixes the compensation of the chairman and each member of the board of equalization and repeals conflicting laws in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart (with notice and proof):

H. 2750. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

By Messrs. Stewart, Burgess and Merrill (with notice and proof):

H. 2751. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

By Messrs. Merrill, Stewart and Burgess (with notice and proof):

H. 2752. To fix the salaries of the judge and the clerk of the Calhoun County Court.

By Messrs. Burgess, Stewart and Merrill (with notice and proof):

H. 2753. To provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

By Messrs. Jackson and Wise:

H. 2755. Relating to all counties having a population of not less than 34,000 nor more than 34,800 inhabitants according to the last or any subsequent federal decennial census; providing for an increase in the compensation of the members of the board of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

By Mr. May:

H. 2761. To prescribe qualifications for the office of Coroner of counties having a population of not less than 34,875 nor more than 36,000 according to the most recent Federal decennial census.

By Messrs. Grainger, Lutz, King and Hearn (with notice and proof):

H. 2766. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 2769. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the County Court in such counties; to repeal conflicting laws.

By Messrs. Hearn, Lutz, Grainger, King and Hale (with notice and proof):

H. 2770. To change the method of compensating the Sheriff of Madison County.

By Messrs. Grainger, Lutz, Hale, King and Hearn:

H. 2771. To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McDonald and St. John (with amendment):

H. 2781. To amend the title, Section 1 and Section 2 of Act No. 806, H. 1018, Regular Session 1969 (Acts 1969, p. 1450), which Act authorizes the district attorney of one county with a certain population and two courthouses to appoint a secretarial assistant and provide for said duties and compensation, compensation to be paid out of county general fund.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Naramore (with notice and proof):

H. 2784. To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

By Messrs. Naramore and Crowe:

H. 2787. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the Authority; and authorizing any municipality in such counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

By Messrs. Gray (F) and Reed (T) (with notice and proof):

H. 2789. Relating to Macon County: To create and establish in Macon County in lieu of the present Inferior Court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Macon County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the present Inferior Court and juvenile Court of Macon County; and providing for the transfer and trial of cases pending in the present Inferior Court of Macon County and in the juvenile court of Macon County, at the time this act takes effect, to the Court of Common Pleas of Macon County, Alabama.

By Mr. Lutz, et al:

H. 2792. To amend Sections 1 and 3 of Act No. 774, S. 626, of the 1951 Regular Session of the Legislature of Alabama, approved September 11, 1951, pertaining to the creation in all cities in the State

of Alabama having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" so as to make said Act apply only to cities having a population of not less than 150,000 nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

By Mr. Hearn, et al (with notice and proof):

H. 2793. Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

By Messrs. Grainger, Hale, King and Hearn:

H. 2794. To amend Section 1 of Act No. 773, S. 621, Approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Municipal Employees Pension and Relief Funds", so as to make said act applicable only in cities having a population of not less than 150,000, nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

By Mr. Hale, et al (with notice and proof):

H. 2795. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Owens and Lyons:

H. 994. To create the Governor's Mansion Advisory Board, herein-after referred to as Advisory Board, to define its duties with regard to the furnishing, refurbishing and up keep of the Governor's Mansion, and to make an appropriation therefor.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Snell (with amendments):

H. 1075. To provide further for the compensation of the sheriff of each county of the State; providing for the disposition of all fees, commissions, and charges previously collectible for the use of the sheriff, and directing the county commissioners to furnish the sheriff with the necessary supplies and employees to operate his office.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hobbie, et al:

H. 1124. To amend Sections 1, 5, 7, and 8 of Act No. 515, H. B. 93, Approved July 9, 1945 (General Acts 1945, Page 734), as amended, which relates to the Employees' Retirement System of Alabama.

By Messrs. Crawford and Connell:

H. 269. Relating to Counties having a population of not less than 13,200 nor more than 13,500 to provide further for the distribution of fines and forfeitures in certain cases.

By Mr. O'Daniel (with notice and proof):

H. 1736. Relating to Elmore County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

By Mr. Hobbie, et al:

H. 2140. To make appropriation to the Board of Commissioner of the Alabama Peace Officers and Benefit Fund.

By Mr. Therrell, et al:

H. 2210. To provide for holding a state-wide advisory referendum election at which there shall be referred to the electorate for advice concerning freedom of choice in public schools.

By Messrs. Jackson and Wise:

H. 2218. To make an appropriation from the state treasury for the relief of Ray Bozeman, Clerk of the Covington County Circuit Court.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills, S. B.'s 1042 (with amendment), 1059, 1060, 1064 and 937, and ordered same returned to the Senate with a favorable report, and upon objection of Mr. Bailes under the provisions of Senate Rule 52 (a), were ordered withdrawn from the Committee report.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (P) (with notice and proof):

H. 2718. Applying to Talladega County; providing for the appointment of special judges in the County Court of Talladega County under certain circumstances; and providing for payment of said special judges.

By Mr. Smith (P) (with notice and proof):

H. 2719. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

By Mr. Smith (P) (with notice and proof):

H. 2720. To regulate further the qualifications and election of members of the Talladega County Board of Education: Providing that such members shall reside outside the corporate limits of a city having a city board of education and shall be elected by the qualified electors of Talladega County who live outside the corporate limits of any such city and that the electors of any such city shall not have a right to vote for members of such board.

By Mr. Smith (P):

H. 2759. To fix the compensation of members of the county board of education of all counties having populations of not less than 65,000 nor more than 68,000, according to the 1970 or any subsequent federal decennial census.

By Mr. Smith (P):

H. 2264. To repeal Act No. 263, S. 410, Regular Session 1967, which became a law on August 30, 1967, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; creating a "Board of Control"; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of the Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county."

By Mr. Smith (P):

H. 2265. To repeal Act No. 696, S. 894, Regular Session 1969, approved September 9, 1969, entitled "An Act To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act, to provide additional taxation."

By Mr. Smith (P) (with notice and proof):

H. 2266. Applying to Talladega County, regulating the sale of alcoholic beverages in such county; prohibiting the sale of alcoholic beverages in certain places in such county; prohibiting consumption of alcoholic beverages in certain places in such county; permitting the sale of alcoholic beverages in certain places in such county; levying a privilege or license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; providing certain rules and regulations for the enforcement and collection of the license tax levied under this Act; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax levied under this Act; prescribing penalties for violation of this Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages in such county if a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

By Mr. Smith (P) (with notice and proof):

H. 2267. Applying to Talladega County; providing for a referendum to be held in such county upon certain conditions to determine whether certain alcoholic beverages can legally be sold in certain places in such county; and providing that certain alcoholic beverages can legally be sold in certain places in such county upon the holding of a referendum in such county under Section 68, Title 29, Code of Alabama, 1940, in which a majority of those voting vote "yes".

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al (with notice and proof) (with amendment):

H. 2212. To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the duties and salary of said assistant.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg, et al (with notice and proof):

H. 2722. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

RESOLUTION

Mr. Carr offered the following Senate Joint Resolution, to-wit:

By Mr. Carr:

S. J. R. 101. WHEREAS for many years Coach Emmett Plunkett has labored faithfully for the growth and progress of Snead State Junior College, and

WHEREAS Coach Plunkett has demonstrated his great qualities of leadership during his long tenure at Snead State, and

WHEREAS under the teachings of Coach Plunkett Snead State has produced hundreds of fine citizens and has achieved fame in the field of sports for its championship basketball teams, and

WHEREAS due to reasons of health, Coach Plunkett is now retiring from a long and distinguished career at Snead State Junior College

THEREFORE BE IT RESOLVED that the new gymnasium now under construction at Snead State Junior College be named in his honor and shall be known henceforth as the "Emmett Plunkett Gymnasium."

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Coach Plunkett and an additional copy to the President of Snead State Junior College.

Which was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Wood:

H. 2802. To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporation limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporate limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Satsuma, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include within the corporate limits of said town the following described territory, to-wit:

Lots 9, 10 and 11, Block 84 according to map of "Grand Bay Land Company Subdivision of the Northeast Quarter of Section 26, Township 2 South, Range 1 West" as recorded in the Office of the Judge of Probate, Mobile County, Ala., in Deed Book 152 N. S., Page 298-299.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley, being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 23, 30, Aug. 6, 13, 1971.

JUDY BEASLEY.

Sworn to and subscribed before me this 20th day of Aug., 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. King, Hearn, Grainger and Lutz:

H. 2767. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens compensation benefits for all employees of such counties.

Also:

By Messrs. Hearn, King, Lutz and Grainger:

H. 2768. To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Also:

By Messrs. King, Hearn, Lutz and Grainger:

H. 2624. Relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent

Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under the contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith.

Also:

By Messrs. Grainger, King, Hearn and Lutz:

H. 2774. To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Two (\$2.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Four (\$4.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

Be It Enacted by the Legislature of Alabama:

Section One: The Probate Judge of Madison County will charge a fee of One (\$1.00) Dollar for filing for record or for recording each and every instrument, paper, writing, document, or decree in his office, including but not limited to, each financing statement, deed, contract, mortgage of real or personal property, mechanic's lien, lis pendens, certificate of judgment, lease, assignment, bill of sale, restrictions,

deed of trust, affidavit, marriage license, official bond, bond of personal representative such as executor or administrator, decree on lunacy inquisition, decree appointing guardians of minors or persons of unsound mind, decree appointing a guardian ad litem in any proceeding in the Probate Court, capias and certificate or charter to a private corporation.

Section Two: In addition to the fee to be collected by the Probate Judge as set forth in the preceding section of this Act, the Madison County Commission or any other like governing body that may hereafter be created for the purpose of governing Madison County, may impose an additional fee for the recordation by the Probate Judge of the instruments and writings described in the preceding section of this Act not to exceed an additional Four (\$4.00) Dollars. Under no circumstances may the additional fee provided for herein for the recording of such papers and instruments exceed Five (\$5.00) Dollars.

Section Three: By the tenth (10th) of the month following collection all funds so collected shall be paid by the Probate Judge into the treasury of Madison County and kept in a fund to be designated the Mental Health Fund. Expenditures from said fund shall be for the benefit and furtherance of the mental health program in Madison County, Alabama. The chairman of the Madison County Commission or like official shall have the power to act for the Madison County Commission or like governing body in the withdrawal and payment of monies from the Mental Health Fund.

Section Four: This Act is cumulative. Nothing herein contained shall alter or change any existing law relating to charges and fees to be collected by the Probate Judge of Madison County.

Section Five: The provisions of this Act are severable. If any section or provision of this Act is declared to be unconstitutional or invalid such declaration will not affect the constitutionality or validity of the remaining portions of this Act.

Section Six: This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Gary Buckner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, August 4, August 10, and August 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me August 16, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission expires 12-17-73.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2802, 2767, 2768, 2624 and 2774. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 215. To regulate further the excusing of persons from jury service in the Thirteenth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

S. 846. To amend the Title and Section 1 of Act No. 193, H. 444, Regular Session 1943 (Acts 1943, p. 183), which relates to Judicial Notice of Ordinance of Cities which may now or hereafter have a population of One Hundred Seventy Five thousand or more people according to the last or any succeeding federal census.

Also:

S. 1029. To further amend the title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Also:

S. 1030. To amend further Sections 3, 8, and 9 of Act No. 243 H. 278, first Special Session 1964, as amended, which establishes the pension and relief system for policemen and firemen of the City of Mobile, by changing the amounts of contributions of the members and of the City; by expanding the investment powers of the Board of Pensions and by changing the bond requirement for the Board of Pensions and its members.

Also:

S. 1153. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a populations of not less than 100,000 nor more than 200,000.

Also:

S. 1152. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Also:

S. 1150. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (K):

H. 2494. To provide further for the salary of any deputy clerk and register located in a city other than the county seat in counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census.

Also:

By Messrs. Slate and Cauthen:

H. 2350. To apply only in counties having populations of not less than 75,000 nor more than 90,000; providing an expense allowance for the chairman or president and members of the county commission, or other like governing body of the county.

Also:

By Messrs. Wood, Nettles, Perloff and Therrell:

H. 2664. Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for the fixing of supplementary compensation or salary of the official Court Reporters, the Register, the Deputy Register of the Circuit Courts, the Chief Clerk of the Recording Division of the Probate Court, and the Clerk of the Court of General Sessions in any such counties coming under the provisions of this Act, and providing for payment thereof.

Also:

By Messrs. Callahan, Therrell, Collins, Nettles, Stokes and Downing:

H. 2204. To provide that personnel employed by municipal governments located in counties having a population of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent federal decennial census, may not be discharged by said municipal governments for failure to live within the boundaries of the municipal government, when the boundaries of said municipality have been altered, rearranged or changed so as to exclude the place of residence of any of said personnel.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2494, 2350, 2664, and 2204. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Hardin:

H. J. R. 189. CONGRATULATING THE ALABAMA PRESS ASSOCIATION ON ITS 100TH ANNIVERSARY.

Also:

By Mr. Turnham:

H. J. R. 193. COMMENDING JAMES G. MURPHY, MANAGER OF CHEWACLA STATE PARK, AUBURN, ALABAMA FOR THE OUTSTANDING WORK ACCOMPLISHED BY HIM DURING HIS ADMINISTRATION AS MANAGER.

Also:

By Mr. Cross:

H. J. R. 196. MOURNING THE DEATH OF WALTER G. BURCH.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 189, 193 and 196, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McDonald:

H. J. R. 203. WHEREAS Aubrey S. Carr has served his county and state by active and honorable service in many civic and public endeavors; and

WHEREAS he has served with distinction as Coroner of Marshall County, as a member of the Alabama House of Representatives from 1962-66, and as a member of the Alabama Senate from 1966 until the present; and

WHEREAS Senator Carr has for many years been an outstanding leader in the field of conservation, and particularly in the field of developing public parks for the people of Alabama; and

WHEREAS in 1967 as a member of the Alabama Senate he sponsored, and acquired both public and legislative support for a \$43 million bond issue and other legislation to provide for the development of public parks in the state of Alabama for the enjoyment and betterment of its people; and

WHEREAS as Assistant Conservation Director, a position he held without pay and at great sacrifice to his family and private interests, Senator Carr directed the planning of state parks made possible by his legislation; and

WHEREAS Lake Guntersville State Park is located in his home county of Marshall and, when completed, will be one of the outstanding parks in the Southeastern United States, providing great enjoyment of,

and appreciation for, the great outdoor beauty of that region to citizens of Marshall County, the State of Alabama, and throughout the country; and

WHEREAS it is fitting and appropriate, and desired by his fellow citizens of Marshall County, that some commemoration of Senator Carr's many fine efforts be made a part of Lake Guntersville State Park as a lasting reminder of his untiring and decisive work for the parks program in Alabama;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Park Roads 1 and 2 in Lake Guntersville State Park, which make a continuous road from Alabama Highway 227, at a point one mile east of Short Creek, northward through the pass between Ellenberg Mountain and Taylor Mountain, then east along the north base of Taylor Mountain and up and over Taylor Mountain by the lodge-motel-golf course complex in a southerly direction, re-entering Alabama Highway 227 one mile east of the original point, be named and the same is hereby designated, AUBREY J. CARR SCENIC DRIVE, and

BE IT FURTHER RESOLVED, That the Director of the State Department of Conservation be hereby authorized and directed to erect appropriate signs and markers along the above-described drive displaying the name hereby established.

JOHN W. PEMBERTON.
Clerk.

HOUSE MESSAGE

On motion of Mr. Malone, the Rules were suspended and the Resolution, H. J. R. 203, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs Baker and Chesnut:

H. J. R. 202. WHEREAS, Mr. Jack Jones of Mentone, DeKalb County, Alabama, has developed an outstanding and unusual tourist resort known as Cloudmont Ski Resort at Mentone, DeKalb County, Alabama, and,

WHEREAS, Cloudmont Ski Resort is the southern most ski resort in the United States and,

WHEREAS, this ski resort features now skiing twelve months of every year and,

WHEREAS, Cloudmont Ski Resort has one two-hundred-foot ski slope covered with an astro turf base and poly-snow for use in the summer months and,

WHEREAS, a slope of over 800 feet is used in the winter time and has an artificial snow making machine and a professional ski instructor is employed full-time all year long, and,

WHEREAS, Cloudmont Ski Resort also has motel, cabin, camping, golf and the Cloudroom Restaurant facilities in addition to the ski slopes,

NOW THEREFORE, be it resolved by the Legislature, both Houses thereof concurring, that Mr. Jack Jones of Mentone, DeKalb County, Alabama, be commended for his fine efforts and outstanding achievements in this unusual tourist attraction located in DeKalb County, Alabama, and best wishes are extended to him in this endeavor. Be it further resolved that a copy of this resolution be sent to Mr. Jack Jones, Cloudmont Ski Resort, Mentone, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 202, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Weeks:

H. J. R. 199. MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO HAVE THE UNITED STATES POST OFFICE ISSUE A COMMEMORATIVE STAMP HONORING THE UNITED SPANISH WAR VETERANS

WHEREAS, The Spanish-American War was the dawn of this Nation's leadership among the nations of the world, and it marked the last great conflict between the people of a free, self-governing republic and that of an absolute monarchy; and

WHEREAS, It was this country's first war for humanity, and the only one hundred percent volunteer army the world has ever known. Twenty thousand volunteers were called, and two million answered those calls. Four hundred and eighty-three thousand served, and one million five hundred and seventeen thousand were not needed. The men came from all parts of our county, the North, the South, the East and the West. These soldiers wiped out sectionalism, and healed the wounds of civil strife, marking the rebirth of a Nation; and

WHEREAS, The Spanish War Veteran received no bonus, no war risk insurance, no adjusted compensation, no vocational training and no hospitalization until 1922, twenty years after the Spanish War was over; and

WHEREAS, The veterans of all our wars have been brave and worthy sons of America. Millions went to war before the Spanish-American soldier and millions have gone since, yet, he stands unique, distinctive, one who deserves the admiration of all mankind; and

WHEREAS, The issuance of a commemorative postage stamp would be a fitting acknowledgement that this country has not forgotten these men; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do urge the President of the United States and the United States Post Office authorities to issue a stamp or stamps commemorating the unique history written by the deeds of the Spanish-American War Soldier, and honoring the United Spanish War Veterans; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to President Nixon, the Postmaster General, Senators Allen and Sparkman, to each member of the Alabama delegation in the House of Representatives and to the Speaker of the House and President of the Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 199, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 29. Relating to Water Safety; changing the name of the Division of Water Safety of the Department of Conservation to "Division of Marine Police"; granting additional powers to the law enforcement personnel of said Division.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 29, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO. S. B. 29

Amend Section 2 of Senate Bill 29 by deleting Section 2 in its entirety and adding in lieu thereof the following:

Section 2. In addition to all other power heretofore granted by law, marine police officers and all other Department of Conservation enforcement officers shall have the power of peace officers in this State and may exercise such powers anywhere within the State.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Owen
Bailes	Gilmore	King	Pelham
Branyon	Hammond	Lindsey	Register
Cooper	Harris	Littleton	Shelby
Dominick	Hawkins	Lybrand	Vacca
Dozier	Horne	McLain	Wilder
Edington			

—24

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1272. To amend Act No. 344 of the Regular Session of the Legislature of Alabama of 1969, authorizing any city of this State having a population of 300,000 or more, according to the last or any subsequent federal census to pay hospital bills, medical expenses and other expenses incurred by employees of said city in securing treatment of injuries sustained by the employees in line of duty.

was taken up.

Mr. Dominick offered the following amendment to the Bill, H. B. 1272, to-wit:

AMENDMENT TO H. B. 1272

Amend Section 1 of H. B. 1272 by inserting in the quotation of the amended Section 4 of Act 344 of the Regular Session of the Legislature of Alabama of 1969, approved August 12, 1969 (Alabama Acts, 1969, p. 716 et seq.), at the end of said quotation, the following:

"For the purposes of this Act, the terms hospital service, doctor's service, or other medical services' may be deemed to include comparable benefits for employees who rely solely on spiritual means for healing."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Branyon	Hammond	McLain	Pierce	
Carr	Harris	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

And said Bill, H. B. 1272, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Littleton	Pelham	
Branyon	Hammond	McLain	Pierce	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

POINT OF PERSONAL PRIVILEGE

Mr. Cook stated that had he been present when the vote was taken on concurrence in the House amendment to the Bill, S. B. 29, he would have voted "Aye".

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1154. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Also:

S. 1155. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Also:

S. 1156. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Also:

S. 1157. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Also:

S. 1187. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Also:

S. 1188. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Reed (T):

H. 1267. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to extend the juvenile jurisdiction of probate courts or any court authorized by law to exercise such juvenile jurisdiction to children under eighteen years of age.

Also:

By Messrs. Bank and Culver:

H. 1881. To repeal Act No. 22, H. 216, Special Session 1966 (Acts 1966, p. 44), which act removes all counties having populations of not less than 100,000 nor more than 115,000 from the operation of Act No. 476 of the Regular Session of 1965, approved August 20, 1965.

Also:

By Messrs. Bank and Culver:

H. 1882. To apply in all counties of Alabama having populations of not less than 115,000 and not more than 150,000 according to the latest or any subsequent federal decennial census and to remove all such counties from the operation of Act No. 476, H. 8, Regular Session 1965, approved August 20, 1965, and all acts amendatory thereto.

Also:

By Mr. Drake:

H. 2467. To establish a Civil Service System for the City of Cullman, to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To establish a Civil Service for the CITY OF Cullman; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between

such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

Be It Enacted by the Legislature of Alabama:

Section 1. **DEFINITIONS.** The following words, terms, and phrases, wherever used herein, shall have the meanings respectively ascribed to them in this section, and shall include the singular as well as the plural:

ALLOCATION means the assignment of positions to a class on the basis of the nature, difficulty and responsibility of work of the positions.

APPOINTING AUTHORITY means the official or board designated by resolution of the governing body as being the official or board having authority to fill vacancies in a specified class, or the governing body itself in the event that the governing body has made no such designation in respect to a class, or having made such designation, has thereafter repealed such resolution.

BOARD means the Personnel Board of the City of Cullman.

CERTIFY, CERTIFICATION means the act of supplying the appointing authority with names of applicants deemed eligible for appointment to the class or position to be filled.

CITY means the City of Cullman.

CLASS means a position or group of positions that involve similar duties and responsibilities and require similar qualifications and are designated by a single title indicative of the work to be performed.

COURT means the Circuit Court of Cullman County, Alabama.

ELIGIBLE LIST means a list of names of persons who have successfully competed by examination, written or oral, arranged in the order of their final ratings, as determined by the Personnel Board.

EMPLOYEE means a person regularly occupying a position in the classified service or a person who is on authorized leave of absence and whose position is being held for him pending his return.

DEMOTION means removal of an employee from a position in one class to a position in another class having a lower maximum salary limit than the position from which he was removed.

GOVERNING BODY means the Mayor and City Council of the city of any governing authority which is a successor thereto.

MERIT SYSTEM whenever the term "Merit System" appears, it shall mean the same as "Civil Service System", within the meaning of this act.

ORIGINAL APPOINTMENT means the appointment to a position in the classified service of a person who is not being reemployed from the reemployment list, nor being promoted from the promotional eligible list and whom, except for those in the exempt service and those serving under temporary appointment, is not an employee of the city.

ORIGINAL APPOINTMENT ELIGIBLE LIST means the eligible list of persons qualified for original appointment to a position.

LAID-OFF means separated from the classified service of the city because of lack of work or funds or other reason not related to fault, delinquency or misconduct on the part of the employee.

POSITION means a group of current duties and responsibilities assigned or delegated by competent authority and requiring the full of part time services of one employee.

PROMOTION means a change of employment from a position of one class to a position of another class which has a higher maximum salary rate.

PROMOTIONAL ELIGIBLE LIST means the eligible list of persons qualified for promotion to a position.

REEMPLOYMENT LIST means:

(a) the list of names of former employees who have been laid-off from a position within the past two (2) years who had permanent status in that position so long as that position continued in the classified service, arranged in the inverse order in which they were laid-off.

(b) the list of names of those former employees who resigned or otherwise left the city service in good standing at any time within the past two (2) years.

VACANCY means a position duly created with funds provided for payment of a salary, which is not occupied, or which is occupied by a person serving under a temporary appointment.

Section 2. Division INTO EXEMPT and CLASSIFIED SERVICES.
All offices and positions of the city shall be divided into the exempt service and the classified service.

1. The exempt service shall include:

(a) the positions of all elected officials of the city; (b) the positions of consultants rendering temporary professional service; (c) the positions of voluntary personnel and personnel appointed to serve without pay; (d) all positions involving seasonal or part-time employment; (e) such positions as the board shall determine to involve unskilled or semi-skilled work; (f) positions of departmental supervisors; (g) the positions of attorneys rendering legal service; provided, however, such positions in the exempt service held by employees of boards and commissions may be placed in the classified service by resolution of the governing body,

after favorable recommenadtion by such other board or commission and the governing body in such resolution shall prescribe the conditions under which the employees holding such positions so transferred may acquire permanent status in such positions so long as such positions remain in the classified service.

2. Classified Service:

The classified service shall include all positions in the city service that are paid out of the general fund of the city and out of funds of boards and commissions whose employees are placed in the classified service, and which are not specifically placed in the exempt service; provided, however, the governing body may by resolution, pursuant to a recommendation by the boards, remove and position from the classified service and place it in the exempt service. Unless otherwise specifical y provided or clearly implied, the provisions of this act shall apply only to the classified service.

Section 3. STATUS OF PRESENT EMPLOYEES. All employees who have acquired permanent status shall, subject to the provisions of this Act, have permanent status in their present positions so long as such positions remain in the classified service. All other employees shall be eligible to acquire permanent status in their present positions so long as such positions remain in the classified service in the manner provided in Section 14, upon completing six months' service in such positions, such time to be computed from the beginning of such service, rather than from the effective date of this Act.

Section 4. ORGANIZATION OF BOARD The personnel program established by this Act shall be administered by the board. The board shall consist of three (3) members who are residents of the city and who shall be appointed by the governing body. No member of the board shall be employed by or be an official of the city, nor hold any elective public office. The composition of the board shall be designated as Place No. 1, Place No. 2, and Place No. 3. The person appointed as a member of the board in Place No. 1 shall serve a term to two (2) years; the person so appointed for Place No. 2 shall serve a term of four (4) years; the person so appointed Place No. 3 shall serve a term of six (6) years. Thereafter each term shall be for a period of six (6) years.

Vacancies occurring during a term shall be filled for the balance of the term by the governing body. Members of the board shall serve without compensation, but funds shall be provided from the general fund of the city for their reasonable and necessary expenses. The board shall elect from its own members a chairman, a vice chairman and a secretary-treasurer. The board shall meet as often as necessary to carry out the purpose of this Act, but shall meet at least once each quarter, however, the governing body shall have the right to control the appropriations to the board and to regulate the expenses of the board as it deems necessary. A majority of the members of the board shall be necessary to constitute a quorum for the transaction of business and no action shall be taken without the affirmative vote of a majority of the quorum present at a meeting. The board, with the approval of the governing body shall have the right to engage such full or part-time personnel as shall be necessary to carry out the provisions of this Act.

Section 5. GENERAL DUTIES OF BOARD. In addition to the duties set forth elsewhere in this Act, the board shall (a) advise the governing body on matters of personnel administration, including the development of personnel administration, including the development of personnel rules, a job classification plan, and a systematic pay plan; (b) represent the public interest in the improvement of personnel administration in the city service; (c) make any inquiry which it may

consider desirable concerning personnel administration in the city service; and (d) make recommendations to the governing body with respect to any of the foregoing duties.

Section 6. RULES, CLASSIFICATION plans, and pay plans. So long as the same are not inconsistent with this Act, the board shall have the power to recommend to the governing body the adoption of rules and regulations for the operation of the civil service system established hereby, including, but not limited to a job classification plan, a pay plan, and a plan for the mandatory and/or permissive retirement of employees. Within sixty (60) days after the presentation of a recommendation of the board, the governing body shall act upon the same, and if the governing body by resolution adopts the recommendation of the board, the same shall become operative and have the force and effect of law. All rules, regulations and pay and classification plans in effect at the time of the adoption of this Act which are not in conflict with the provisions hereof shall remain in force and effect after the effective date of this Act until the same are altered, amended or repealed in the manner hereinafter provided.

Section 7. AMENDMENTS AND REPEAL. Any rule determination regulation or plan may be amended or repealed in whole or in part in the same manner as is provided herein for the making of such rules, determinations, regulations or plans.

Section 8. JOB CLASSIFICATION PLAN. After the adoption by the governing body of a job classification plan, allocation of each position in the classified service shall be made by the board with the approval of the governing body to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same test of competence, and the same pay scale.

Section 9. PAY PLAN. After the adoption by the governing body of a pay plan and any rules of its administration, the board, with the approval of the governing body, will assign each position to one of the pay ranges provided in the pay plan to the end that the rate or range of compensation for each class provided for in the pay plan shall be such as to reflect fairly the differences in duties and responsibilities in the various classes.

Section 10. EXAMINATION. Eligibility for original appointment or promotion to vacancies in positions in the classified service occurring after the adoption of this Act shall be determined by the Personnel Board. The Personnel Board shall conduct such examinations as will fairly test the abilities and aptitudes of the applicants with respect to the duties to be performed. Applicants who pass the test and otherwise qualify for original appointment or promotion, as the case may be, shall be placed on the appropriate eligible list for the vacancy. The board may refuse to examine, or after examination refuse to certify the name of anyone who is found to lack any of the established qualification requirements for the position for which he applies or who is physically so disabled as to be unfit to perform duties of the position to which he seeks appointment, or who has been convicted of or is under indictment for any crime involving moral turpitude or who has been guilty of any infamous or disgraceful conduct or who has been dismissed from the public service for delinquency or misconduct or who has intentionally made a false statement of any material fact or practiced or attempted to practice any deception or fraud in application, or in his examination.

Section 11. TEMPORARY APPOINTMENT. Pending the availability of a list of names certified as provided in Section 13 hereof, posi-

tion may be filled by temporary appointments. The governing body by resolution adopted pursuant to a recommendation to the board may grant permanent status in a position in the classified service so long as such position remains in the classified service, to any employee who has served in a vacancy in a position then in the classified service by temporary appointment for a least twelve (12) months and who has passed his examination, if at the time of such action by the governing body no such list of names has been so certified for the vacancy in which the said employee is serving.

Section 12. LISTS OF NAMES OF PERSONS AVAILABLE FOR APPOINTMENT. Lists of names of persons available for appointment to a vacancy in a position in the classified service will be selected for certification as provided in Section 13 hereof in the order in which they appear from among the laid-off persons on the reemployment list, promotional eligible list, original appointment eligible list, and reemployment list composed of former employees for said vacancy, which lists shall have priority one over the other in the order named. A former employee with probationary status with respect to the vacancy may, with the approval of the appointing authority, have his name placed at such position on the promotional eligible list as the appointing authority may designate. Policies and procedures for administering eligible lists and covering the duration, cancellation, replacement and consolidation of such lists and the removal or suspension of names there from shall be provided in the personnel rules.

Section 13. METHOD OF FILING VACANCIES. Except as herein-after provided, vacancies in positions in the classified service shall be filled by the appointing authority by the appointment of a person whose name is certified, within thirty (30) days after certification. Certification shall be made upon request of the appointing authority therefor whenever a vacancy exists, the appointing authority, in his discretion, determines that such vacancy shall be filled, and the name of an applicant for such vacancy is eligible for certification if there is a laid-off person on the reemployment list with respect to a vacancy, only the top name on such list shall be eligible for certification. In the event the top person is not available for appointment, the next ranking names may be certified until the highest ranking person who is available is appointed. In the event there is no such reemployment list, and the names on the promotional eligible list for such vacancy plus the names on the original appointment eligible list for such vacancy equal three (3) or more, the three (3) names ranked highest on the said promotional eligible list shall be eligible for certification; provided, should the said promotional eligible list not contain three (3) names, then the names appearing thereon, plus such of the names ranked highest on the said original appointment eligible list as will be sufficient to bring the number certified to three (3) shall be eligible for certification. If after making a reasonable effort it should prove impossible for the appointing authority to locate any of the persons so certified or should it become known to the board that any person so certified is not willing to accept the position, the appointing authority may request that additional names be certified until the appointing authority has available to him a list from which to make the appointment containing the aforesaid authorized number of persons all of whom are available for such appointment and willing to accept the position, or, in the event that the list certified to the appointing authority contains fewer than the authorized number of available and willing persons as aforesaid from which to make a selection, the appointing authority in his discretion may choose from the remaining certified names, make a temporary appointment, or make no appointment. In the event that there does not exist an employment list which the board deems to be appropriate from which to fill the vacancy, the board shall prepare such a list within a reasonable

time after receipt of the request of the appointing authority that eligibility be certified. Provided, however, nothing herein contained shall be construed as preventing an appointing authority, in his discretion, from withdrawing his request for the aforesaid certification, either before or after such certification has been made in response to his request therefor. Whenever a person has been certified to and rejected by an appointing authority three (3) times, the board may remove the name of such person from the eligible list on which his name appeared. A person shall be deemed to have been so rejected by an appointing authority when a vacancy is filled from an eligible list on which his name appeared and such person was not selected to fill the vacancy.

Section 14. PROBATION. Except as provided in Sections 2 and 3, to acquire permanent status in a position in the classified service so long as such position remains in the classified service, employees shall be subject to a period of probation. The regular period of probation shall be six (6) months; provided, however, the board may adopt rules and regulations specifying a longer period of probation for a designated class or classes, or for extension of the probation period for any individual probationary employee, but no probationary period may be extended beyond twelve (12) MONTHS. The work and conduct of employees with a probationary status shall be subject to close scrutiny and evaluation. An employee retained beyond the end of the probationary period shall have permanent status in the position in which he was so retained so long as that position remains in the classified service if, but only if, the appointed authority files a written statement with the board affirming the fact that the services of the employee have been found to be satisfactory.

Section 15. ABSENCES: HOURS OF WORK. Rules shall be adopted in the manner hereinbefore provided prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover such matters as vacations, holidays sick leaves, leaves for military service and leaves granted so that the employee can seek election to public office.

Section 16. Lay-OFF of EMPLOYEES. Any employee may be separated from his position by being laid-off. Reduction in the number of employees shall be made in such class or classes as the appointing authority may designate; provided however, within each class affected by such reduction employees shall be laid-off in the following order: (1) temporary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (2) probationary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (3) other temporary employees; (4) other probationary employees; and (5) employees having permanent status in the position in the classified service.

Section 17. DISMISSAL, DEMOTION and SUSPENSION of EMPLOYEES. Any employee may be dismissed, suspended without pay or demoted by his appointing authority for, but not limited to, any violation of the provisions of this Act or whenever the good of the service will be served thereby or the employee's work, performance, conduct on or off the job, or insubordinate attitude so warrant; provided, however, that no employee may be suspended without pay for more than fifteen (15) working days at any one time or for more than thirty (30) working days in any one year; and provided further, that no employee shall be dismissed, suspended without pay or demoted for political considerations other than those enumerated in Section 21 hereof. Any person appointed to a position who has secured his certification therefor through fraud shall be removed by his appointing authority and shall not there-

after be eligible for examination for or appointment to any position except by unanimous permission of the board. The appointing authority shall promptly report to the board in writing the fact and extent of all disciplinary action taken by said appointing authority against employees holding positions in the classified service.,

Section 18. PROCEDURE FOR PROTESTING CERTAIN DISCIPLINARY ACTION. An employee shall have the right to protest any disciplinary action taken against him by his appointing authority; provided, however, an employee serving by temporary appointment and an employee having probationary status shall have no right to protest any such disciplinary action, unless such employee had permanent status in some other position at the time he was appointed to his present position. An employee desiring to protest any disciplinary action directed against him by his appointing authority shall file a protest in writing with the board and with his appointing authority within seven (7) days of the date on which the disciplinary action was taken and request a hearing before the board. Within seven (7) days after receipt of the protest, his appointing authority shall file with the chairman of the board and mail to the employee by certified mail a statement specifying the charges against such employee on which the disciplinary action was based. Upon the filing of such charges, the said chairman shall call a meeting of the board to be held within thirty (30) days after the filing of such charges to hear such protest, and shall forthwith give notice by certified mail to the employee and his appointing authority of the time and place of such meeting. The board shall have the authority to continue the hearing from time to time as maybe necessary. In preparing for and conducting such hearing, the chairman and secretary-treasurer of the board shall each have the power to administer oaths, and subpoena and require the attendance of witnesses and the production of books, documents and accounts pertaining to the subject under investigation.

Subpoenas issued as herein provided shall be served (and the fees and allowances for the service thereof shall be the same) as is provided by law for the service of subpoena issued by the Circuit Court of Cullman County, Alabama. Said fees and allowances in connection with the service of such subpoena issued at the request of the appointing authority or the board shall constitute reasonable and necessary expenses of the board. Such subpoena issued at the request of the employee shall be served as aforesaid but only after such employee has deposited sufficient security with such sheriff or other officer as will guarantee payment of such fees and allowances for such service. In the event any person is duly summoned to appear and testify or produce evidence, or both, before the board, and such person refuses to attend or testify or produce such evidence, or any of them in obedience to such summons, the board shall have the right to invoke the aid of the Circuit Court at law. In such event, and upon proper showing by the board to the court, the court shall issue, or co use to be issued an order or subpoena requiring such person to appear before the board and produce all evidence and give all testimony relating to the issue within his knowledge. Any person failing to obey any such summons by either of said officers of the board without good cause, to be determined by the court, may be punished by the court in the same method as is provided by law for contempt of the court and any person failing to obey any such order or subpoena of the court may be proceeded against by the court as is by law provided in the case of contempt of such court. In addition, any employee of the city who fails to obey any of such orders or subpoenas may be disciplined as provided in Section 17.

At the hearing the employee and his appointing authority shall each have the right to be represented by counsel. Such hearing shall be governed by rules of practice and procedure adopted by the board, and in

conducting such hearing, the board shall not be bound by the technical rules of evidence. No informality of procedure in the conduct of such hearing shall invalidate any decision made by the board. At the conclusion of the hearing, the board shall render a decision (a) affirming the disciplinary action taken if it is reasonably satisfied from the evidence offered at the hearing that the disciplinary action taken was lawful or was not too severe; or (b) reversing the action of the appointing authority if it is reasonably satisfied from such evidence that the disciplinary action taken was not lawful; or (c) modifying the disciplinary action taken and prescribing the proper penalty if it is reasonably satisfied from such evidence that the employee was subject to some disciplinary action, but that the penalty imposed was too severe. If the board's decision reduces the severity of the disciplinary action taken against the employee, the board, in its decision, may provide that the employee shall be reinstated with or without pay; provided however, in the event any employee is so ordered to be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the thirty (30) days next preceding the taking of the disciplinary action in question. A copy of the board's decision shall be filed with the city clerk of the city and such decision shall become effective immediately upon such filing, and it shall become final ten (10) days thereafter unless reversed or modified as hereinafter provided. The Personnel Board shall be represented by the City Attorney, or an attorney designated by the governing body of the city, and said attorney shall perform such duties as the board may direct and require. Any compensation paid said attorney shall be paid as in Section 22 hereof.

Section 19. APPEAL TO THE COURT. Decisions of the board may be enforced in the court by mandamus, injunction, or other appropriate proceedings. The employee, the appointing authority, or the city may, within ten (10) days after the decision of the board is rendered, appeal to said court from a any decision of the board affirming, imposing or refusing to affirm or impose dismissal or demotion as disciplinary action by filing notice of such appeal with the court and causing a copy of such notice to be served on the appointing authority and any member of the board. Upon the filing of such notice, the board shall file with the court a certified transcript of the proceeding had before it with respect to the appeal, and its decision in the matter. The appeal shall be heard at the earliest possible date by said court sitting without a jury on the issues made before the board and the trial in said court shall be de novo. No bond shall be required for such an appeal and the cost of such appeal shall be taxed against the unsuccessful party or as the judge may direct. At the conclusion of such hearing the court may affirm, reverse, or modify the board's decision, or remand the case for further proceedings before the board as the court in its discretion shall deem best. If the order of the court is that the employee shall be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the thirty (30) days next preceding the taking of the disciplinary action in question. An appeal may be taken from any judgement of said court to the Court of Appeals or Supreme Court as provided by law.

Section 20. RECORDS TO MAINTAIN BY BOARD. The board shall maintain adequate records of its proceedings, of its own official acts, the examination record of every candidate, and the employment record of every employee.

Section 21. POLITICAL ACTIVITIES PROHIBITED. No person holding a position in the classified service shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service. No person holding a position in the classified service shall use or promise to use, directly or indirectly, any

official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person or for any consideration. No employee holding a position in the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political organization or purpose, or solicit or take any part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription or contribution of any employee holding a position in the classified service. No employee holding a position in the classified service shall be a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote, unless on authorized leave of absence for such purpose. Any person holding a position in the classified service who violates any provision of this section may be disciplined by dismissal, suspension without pay, or demotion as provided in Section 17 of this Act. In addition, any person holding a position in the classified service who wilfully violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Section 22. **EXPENSES OF BOARD.** The governing body shall make necessary appropriations from the general fund to pay the reasonable and necessary expenses incurred by the board and its members in the administration of this Act.

Section 23. **RIGHT OF GOVERNING BODY.** Nothing herin shall be construed as restricting the right of the governing body (1) to refuse employment and prohibit the further service of any person or persons who are members of an organization which is opposed to the basic purpose of local self government; or (2) to increase or decrease proportionately the compensation of all employees; or (3) to use independent contractors for performance of work or the rendering of service by the city.

Section 24. **SEVERABILITY.** The provisions of this Act are severable, if any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. **REPEALER.** All laws or parts of laws which conflict with this Act are repealed.

Section 26. **EFFECTIVE DATE.** This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me Aug. 12, 1971.

CHARLOTTE MILLER,
Notary Public.

Also:

By Mr. Turnham:

H. 2567. To amend the title and Section 1 of Act No. 490, S. 636, Regular Session 1969 (Acts 1969, p. 950) which provides that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed in certain counties classified on a population basis.

Also:

By Messrs. Hill and Flipppo:

H. 2612. Relating to all cities having populations of not less than 33,500 nor more than 36,000 inhabitants according to the last or any subsequent federal decennial census; to declare the public policy of such cities in regard to the extension of the zoning authority of such cities by this Act; and to extend, alter, and rearrange certain of the boundaries of the zoning authority of any such cities so as to include within that authority a certain designated area.

Also:

By Messrs. Hill and Flipppo:

H. 2621. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to provide for the temporary release, at the court's discretion, of certain prisoners in said counties for the purpose of obtaining and working at gainful employment.

Also:

By Messrs. Cauthen and Slate:

H. 2775. Relating to cities having a population of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census; providing for the planning, design, location, financing, acquisition of property for construction, alteration, enlargement, use, maintenance, and fostering of off-street automobile parking facilities in such cities.

Also:

By Messrs. Slate and Cauthen:

H. 2776. Relating to counties having populations of not less than 75,000 nor more than 80,000, according to the most recent federal decennial census; to provide an expense allowance for the judge of the county court; to repeal conflicting laws.

Also:

By Messrs. Slate and Cauthen:

H. 2777. Relating to counties having populations of not less than 75,000 nor more than 80,000, according to the most recent federal decennial census; to provide an expense allowance for the court reporter of the county court; to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1267, 1881, 1882, 2467, 2567, 2612, 2621, 2775, 2776 and 2777. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H J. R. 205. WHEREAS, The Alabama State Docks Department with its terminals and inland docks facilities throughout the State constitutes one of the most valuable assets of the State of Alabama, and

WHEREAS, in order to maintain its status as one of the greatest facilities for waterborne commerce in the world, constant attention must be given to maintaining maximum financial and operational capabilities and flexibilities for the Alabama State Docks, and

WHEREAS, The Legislature of the State of Alabama desires to assist in every way possible the development of the great potential of the port and navigable waterways of the State of Alabama, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That there shall hereby be created a Joint Legislative Interim Committee to study methods of improving the financial and operational capabilities of the Alabama State Docks, and, specifically, to determine if the establishment of an Alabama Port Authority would be beneficial to the State of Alabama.

BE IT FURTHER RESOLVED That said committee shall consist of two members from the Senate, to be appointed by the Lieutenant-Governor, and three members from the House of Representatives, to be appointed by the Speaker of the House, and the Director of the Alabama State Docks as an ex-officio member. Said members shall be entitled to the usual legislative per diem when performing their duties, such monies to be drawn from the funds appropriated for the use of the Legislature.

BE IT FURTHER RESOLVED, That said committee shall report to the next regular session of the Legislature by the tenth legislative day.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 205, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 495. To amend Section 133 of Title 5, Code of Alabama, 1940, relating to banks and banking; requiring banks to remit at par.

Was read a third time at length and passed.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Fine	Jones	Pelham	
Bailes	Foshee	King	Pierce	
Carr	Gilmore	Lindsey	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	Malone	Wilder	
Dozier	Hawkins	Noonan	Wilson	
Edington	Horne	Owen		—30

Nay: Mr. Branyon

—1

UNFINISHED BUSINESS

MOTION TO RECONSIDER

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

S. 917. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation out of funds accruing from the motor vehicle and trailer license taxes; and directing the probate judge to withhold each year \$15,000 from the first moneys collected from the motor vehicle and trailer license taxes to be used for this purpose.

The question was on the motion of Mr. Lybrand that Mr. Harris' Motion to Reconsider the vote by which the Bill, S. B. 917, was passed be postponed until the Thirty-fourth Legislative Day.

Mr. Lybrand requested and received unanimous consent to withdraw his motion to postpone.

The question was then on the motion of Mr. Harris that the Senate reconsider the vote by which the Bill, S. B. 917, was passed, which motion was adopted, and the Senate did reconsider said vote.

Mr. Lybrand moved that the Senate reconsider the vote by which the Bill, S. B. 917, was ordered to its third reading, which motion was adopted, and the Senate did reconsider said vote.

Mr. Lybrand then offered the following amendment to the Bill, S. B. 917, to-wit:

AMENDMENT TO S. B. 917

Amend S. B. 917 by adding a new section immediately after the next to last section and renumbering the last section. The new section shall read as follows:

"The provisions of this Act shall be repealed and shall expire on September 30, 1974."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Carr	Givhan	Lindsey	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, S. B. 917, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Carr	Givhan	Lindsey	Pierce	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

MOTION TO RECONSIDER

The Senate proceeded to consideration of the motion by Mr. Harris to reconsider the vote by which the Bill:

S. 926. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; authorizing and providing for the deduction and withholding by the judge of probate of any such county of a prescribed amount of the first moneys accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

was passed on the Thirtieth Legislative Day.

And said Motion to reconsider was then adopted.

Mr. Lybrand moved that the Senate reconsider the vote by which the Bill, S. B. 926, was ordered to its third reading, which motion was adopted, and the Senate did reconsider said vote.

Mr. Lybrand then offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 926

Amend S. B. 926 by adding a new section immediately after the next to last section and renumbering the last section. The new section shall read as follows:

"The provisions of this Act shall be repealed and shall expire on September 30, 1974."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Carr	Hammond	Lybrand	Pierce	
Clark	Harris	Malone	Register	
Cook	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays:

—0

And said Bill, S. B. 926, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Register	
Branyon	Edington	Lybrand	Shelby	
Carr	Fine	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 77. To require election officials to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Carr	Cooper	Foshee
Bailes	Clark	Dominick	Gilmore
Branyon	Cook	Dozier	Givhan

Hammond	Lindsey	Owen	Shelby	
Harris	Lybrand	Felham	Vacca	
Hawkins	McLain	Pierce	Wilder	
Horne	Malone	Register	Wilson	
King	Noonan			—29

Nays: —0

The Bill:

S. 1134. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear material contained therein and other fissionable, fusible or nuclear materials used or useful in the production of electricity by persons regularly engaged in furnishing electricity to another person or other persons from state, county and municipal taxes, licenses, fees and excises.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gilmore	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Pierce	
Carr	Harris	Lybrand	Register	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Malone	Wilder	
Cooper	Jones	Noonan	Wilson	
Dominick				—28

Nays: —0

The Bill:

S. 1173. To be known as the "Alabama Occupational Safety and Health Act" the general purpose of which is to prevent accidents and occupational diseases; to create the Occupational Safety and Health Commission; to vest enforcement and administration of this Act in said Commission; to authorize the Commission to employ an Executive Director and other personnel; to authorize said Executive Director to make certain contracts deemed necessary by him and approved by the Commission; to set out the powers and duties of the Commission and its Executive Director; to authorize the Executive Director to take action to eliminate any clear and immediate threat to safety and health; to provide for appeals from orders of the Executive Director; to set penalties for violations; to authorize inspections and investigations by the Executive Director; to authorize the making of rules and regulations and the granting of variances therefrom by the Commission; to authorize the appointment of a State Safety Engineer; to allow employers to require physical examinations of employees; to provide for transfer of functions and funds from other State departments; to authorize compliance with the Federal Occupational Safety and Health Act of 1970; to exempt mines and mining from the operation of this Act; and to provide for the appropriation of funds to the Commission.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, S. B. 1173, to-wit:

COMMITTEE AMENDMENT TO S. B. 1173

Amend Senate Bill 1173 by striking section four in its entirety and inserting in lieu thereof the following:

Section 4. There is hereby created the Occupational Safety and Health Commission which shall consist of five members. Two members are to be appointed by the Lieutenant Governor and three members are to be appointed by the Speaker of the House. One member shall represent the public at large, one member shall be a representative of labor, one member shall be a representative of management, one member shall be an industrial engineer and one member shall be a physician. The public member shall be appointed for a term of six years, the industrial engineer and physician shall be appointed for a term of four years and the labor and management members shall be appointed for a term of two years, all the terms beginning thirty days after enactment of this Act. The successors of the original appointees shall be appointed for terms of six years each. Each member shall be required to take the constitutional oath of office before entering upon his duties. The Commission shall designate one of its members as chairman. Three members of the Commission shall constitute a quorum for transaction of business. Any vacancy in the Commission shall be filled by the Lieutenant Governor for the unexpired term. The members shall be paid Fifty Dollars (\$50.00) per diem while meeting, plus actual travel expenses which shall be paid out of funds made available to the Commission. The Commission shall administer and enforce the provisions of this Act through its Executive Director and other personnel. The Executive Director shall be the chief administrative officer of this Act who shall act under the direction of the Commission.

Which was adopted.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Dozier	Jones	Pierce
Bailes	Fine	King	Register
Branyon	Foshee	Lindsey	Sheiby
Carr	Gilmore	Lybrand	Vacca
Clark	Givhan	Noonan	Wilder
Cook	Hawkins	Owen	Wilson
Dominick	Horne	Pelham	

—26

Nay: Mr. Cooper

—1

And said Bill, S. B. 1173, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Register
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier			

—28

Nay: Mr. Cooper

—1

The Bill:

H. 37. To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license.

was taken up.

The Standing Committee on Conservation reported the following amendment to the Bill, H. B. 37, to-wit:

AMENDMENT TO H. B. 37

Amend House Bill 37 as follows:

Delete the words "six dollars" and the figure "\$6" on line 13 of Section 1 and add in lieu thereof the following: "five dollars" and the figure "\$5".

Delete the words "three dollars" and the figure "\$3" on line 17 of Section 1 and add in lieu thereof the following: "two dollars and fifty cents" and the figures "\$2.50".

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Givhan	Lindsey	Register	
Carr	Hammond	Littleton	Vacca	
Cooper	Harris	Lybrand	Wilder	
Dozier	Hawkins	Noonan	Wilson	
				—23

Nays:

—0

And said Bill, H. B. 37, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Messrs.:	Dozier	Jones	Noonan	
Branyon	Edington	King	Owen	
Carr	Gilmore	Lindsey	Pelham	
Clark	Givhan	Littleton	Register	
Cooper	Hammond	Lybrand	Vacca	
Dominick	Harris	Malone	Wilder	
				23

Nays:

Messrs.:	Bailes	Foshee	Hawkins	
				—3

The Bill:

S. 1071. To amend Act 493, House 756, Acts of Alabama, 1969, enacted at the 1969 Regular Session of the Legislature of Alabama, to provide for the leasing of heavy duty off-highway construction equipment including the machinery used for grading, drainage; road construction and compaction for the exclusive use of County and municipalities,

highways, streets and sanitation department by the County Board of Revenue, or other similar County governing bodies, the governing bodies of municipalities of the State, and the governing board of instrumentalities of county and municipalities, relative to exemption from the competitive bidding and expenditure of public funds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Horne	Malone
Bailes	Foshee	Jones	Noonan
Branyon	Gilmore	King	Owen
Clark	Givhan	Lindsey	Pelham
Cooper	Hammond	Littleton	Pierce
Dominick	Harris	Lybrand	Vacca
Dozier	Hawkins	McLain	Wilder
Edington			

—28

Nays:

—0

The Bill:

H. 261. To create a continuing women's commission; providing for the operation of such commission; providing for its compensation; defining its duties; and making an appropriation.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 261, to-wit:

AMENDMENT TO H. B. 261

Amend H. B. 261 by striking from the title of said bill the following: “; and making an appropriation”.

Amend H. B. 261 by striking Section 6 in its entirety.

Further, amend H. B. 261 by renumbering “Sections 7, 8 and 9” to read “Sections 6, 7 and 8.”

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	McLain
Bailes	Fine	Horne	O'Bannon
Branyon	Foshee	Jones	Owen
Clark	Gilmore	King	Pelham
Cook	Givhan	Lindsey	Pierce
Cooper	Hammond	Littleton	Register
Dominick	Harris	Lybrand	Wilder
Dozier			

—28

Nays:

—0

And said Bill, H. B. 261, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Horne	O'Bannon	
Bailes	Foshee	Jones	Owen	
Carr	Gilmore	King	Pelham	
Clark	Givhan	Lindsey	Pierce	
Cook	Hammond	Littleton	Register	
Cooper	Harris	Lybrand	Vacca	
Dozier	Hawkins	McLain	Wilder	
Edington				—28

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, Gafford, Ellis, Lyons, Hobbie, Gloor, Turner, Bowers, Taylor, Timmons, Culver, Jones (F), Robertson, Merrill, Waggoner, Meeks, Falkenburg, Downing, Williams, Jones (E), Mims, Warren, Doss, Burgess, Harris, Bank, Parker (H), Wallace, Bassett, Headley, Collins, Straiton, Stubbs, O'Daniel, May, Easters, Kinsey, Therrell, St. John, Carter, Cross, Chesnut, Grey (D), Pruitt, Owens, Mathews, McDonald, Hardin, Agee, Benton, Crawford, Lang, Boles, Smith (K), Edwards, Turnham, Hearn, McCorquodale, Parker (T), Coshatt, Slate, Naramore, Barkett, Dill, Fite, Jackson, Adams, Manley, Wynot, Goodwin, Snell, Connell, Boutwell, Lutz, Crowe, Reid (R) and Grainger:

H. 2823. To prohibit the denial of admission of any child to any public school in this State under certain conditions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2823. To the Committee on Commerce, Transportation and Common Carriers.

BILLS ON THIRD READING RESUMED

The Bill:

H. 76. To allow persons who receive articles for services, to dispose of such articles when they are not claimed for certain periods of time, without being liable to their owners.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Carr	Cooper	Fine
Bailes	Clark	Dominick	Foshee
Branyon	Cook	Edington	Gilmore

Givhan	Horne	Littleton	Owen
Hammond	Jones	Lybrand	Pelham
Harris	King	Noonan	Wilder
Hawkins	Lindsey	O'Bannon	Wilson

—27

Nays:

—0

The Bill:

H. 59. To amend Section 16 of Act No. 181, H. 245, General Acts of Alabama 1939 (Acts 1939, p. 300), so as to increase the fee for duplicate driver's license, and to prescribe the penalty for the making of a false affidavit to obtain a duplicate license.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Owen
Branyon	Gilmore	Littleton	Pelham
Clark	Givhan	Lybrand	Pierce
Cooper	Hammond	McLain	Vacca
Dominick	Horne	Malone	Wilder
Dozier	Jones	Noonan	Wilson

—27

Nays:

—0

The Bill:

H. 1864. To provide for the regulation of the construction of water wells, to provide a system of reporting information concerning the drilling of water wells and results, to provide for the licensing of water well drillers, to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act, creating a board to be known as the Alabama Water Well Standards Board, to provide for the qualification, appointment and removal of board members and the filling of vacancies and fixing their tenure of office, and providing penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Noonan
Bailes	Edington	Horne	Owen
Branyon	Fine	Jones	Pelham
Carr	Foshee	King	Pierce
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Lybrand	Vacca
Cooper	Harris	McLain	Wilder
Dominick			

—28

Nays:

—0

The Bill:

H. 256. To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Owen	
Bailes	Dozier	Jones	Pelham	
Branyon	Edington	Lindsey	Pierce	
Carr	Fine	Lybrand	Register	
Clark	Foshee	McLain	Vacca	
Cook	Hammond	Noonan	Wilder	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2076. To amend Act No. 470 Regular Session of 1969, Vol. I, page 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Jones	Pelham	
Branyon	Fine	King	Pierce	
Carr	Foshee	Lindsey	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon		—30

Nays: —0

The Bill:

H. 95. To provide that the county boards of education shall have the power to establish and maintain kindergartens and playgrounds for children within their jurisdiction.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon	
Bailes	Edington	Horne	Owen	
Branyon	Fine	King	Pelham	
Carr	Foshee	Lindsey	Pierce	
Clark	Gilmore	Littleton	Shelby	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	Noonan	Wilder	
Dominick				—28

Nays: —0

The Bill:

S. 544. To amend Section 2 of Act No. 613, Section 190, Regular Session 1969 (Acts of 1969, p. 1119), relating to the prohibition of feed-

ing garbage to swine by exempting the Board of Corrections and State Mental Health Board from the provisions of the Act.

was taken up.

Mr. Cooper offered the following substitute for the Bill, S. B. 544, to-wit:

SUBSTITUTE FOR S. B. 544

A BILL TO BE ENTITLED AN ACT

To amend Section 5 of Act No. 613, S. 190, Regular Session 1969 (Acts of 1969, p. 1119), relating to prohibition of feeding garbage to swine by extending the date on which said Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 613 S. 190, Regular Session 1969 (Acts of 1969, p. 1119), is hereby amended to read as follows:

All laws and parts of laws which conflict with this Act are hereby repealed, and Act No. 187, Regular Session 1953 (Acts of 1953, p. 240) is hereby expressly repealed, provided the date on which the repeal of said Act shall become effective is October 1, 1972.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	McLain	Vacca
Cooper	Harris	O'Bannon	Wilder

—27

Nays:

—0

And said Bill, S. B. 544, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Noonan	Vacca
Cooper	Harris	O'Bannon	Wilder
Dozier	Hawkins		

—29

Nays:

—0

The Bill:

S. 295. Proposing an amendment to the Constitution of Alabama relative to canons of ethics for the judicial branch of state government and establishing a Commission of Judicial Ethics and to empower the Legislature to provide for a system of retirement for justices, judges and officials of courts.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon		—30

Nays:

—0

The Bill:

H. 324. To amend Act No. 755, H. 49, Regular Session 1967, approved September 8, 1967 (Acts 1967, p. 1609) which relates to supernumerary tax collectors, tax assessors, license commissioners, or other elected officials charged with the assessment and/or collection of ad valorem taxes in the various counties of the State; amending such Act relative to the required prior service, and to prescribe repayment of contributions in certain instances.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 324, to-wit:

AMENDMENT TO H. B. 324

At the end of subsection (b) of Section 1 of the bill, delete the period and insert the following:

“; or”

Immediately before the last paragraph of Section 1, insert the following:

“(c) Who has served 18 years as a county official for any county of Alabama, the last 6 or more years as tax collector, tax assessor or license commissioner, and prior thereto, at least 12 years as county service commissioner for the Department of Veterans Affairs, and who is not less than 60 years of age or who has become permanently and totally disabled, proof of such disability being made by certificate of three reputable physicians, may elect to become a supernumerary tax collector, tax assessor, license commissioner or other elected official by filing a written declaration to that effect with the Governor of the State of Alabama. If the Governor shall find that any such declarant is qualified under this subsection, a commission as supernumerary tax collector, tax assessor or license commissioner, as the case may be, for the county in which he has served shall be issued to the declarant.”

In Section 4, as amended by the bill, insert immediately before the next to last sentence, the following words:

"Any person desiring to come under the provisions of this act pursuant to subsection (c) of this act, shall pay to the county such proportionate sum as to equal the amount he would have been required to pay if he were employed as a tax collector, tax assessor, license commissioner or other elected official charged with the assessment and/or collection of any ad valorem taxes of the county."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	McLain
Bailes	Fine	Horne	Noonan
Branyon	Foshee	Jones	O'Bannon
Clark	Gilmore	King	Owen
Cook	Givhan	Lindsey	Pelham
Cooper	Hammond	Littleton	Register
Dozier	Harris	Lybrand	Shelby

—27

Nays:

—0

And said Bill, H. B. 324, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan
Bailes	Fine	Jones	O'Bannon
Branyon	Foshee	King	Owen
Carr	Gilmore	Lindsey	Pelham
Cook	Givhan	Littleton	Register
Cooper	Hammond	Lybrand	Vacca
Dominick	Harris	McLain	Wilder
Dozier	Hawkins	Malone	

—30

Nays:

—0

The Bill:

H. 161. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials; to establish a legislative code of ethics and provide for its enforcement; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon
Bailes	Edington	Jones	Owen
Branyon	Fine	King	Pelham
Carr	Foshee	Lindsey	Pierce
Clark	Gilmore	Littleton	Register
Cook	Givhan	Lybrand	Vacca
Cooper	Hammond	McLain	Wilder

—27

Nays:

—0

Mr. Bailes moved to reconsider the vote by which the Bill, H. B. 161, was passed and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 39. To amend Section 38 of Title 8 of the Code of Alabama of 1940 so as to provide an increase in amount for resident annual state fishing license and to provide for a resident annual county hook and line fishing license.

was taken up.

Mr. Owen offered the following substitute for the Bill, H. B. 39, to-wit:

SUBSTITUTE TO H. B. 39

A BILL TO BE ENTITLED AN ACT

To amend Section 38 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the method of obtaining and cost of resident state fishing licenses.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 38 of Title 8 of the Code of Alabama 1940, as amended, shall be and is hereby further amended to read as follows:

"Section 38. Resident state fishing license.—Any person who has been a bona fide resident of this state for a period of not less than ninety days next preceding and who is between the ages of sixteen and sixty-five shall not take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this state, in which fresh water fish appear, by angling with rod and reel or by use of any artificial bait, fly or lure without first procuring an annual state fishing license and paying therefor the sum of three dollars. No resident of this state between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any waters of this state, in which fresh water fish appear, by angling with a hook and line without first procuring an annual state fishing license and paying therefor the sum of one dollar. Any resident who procures a rod and reel license, however, shall be entitled to fish with a hook and line without the necessity of procuring an additional license. These licenses shall be issued in the manner and under the conditions, limitations and exemptions as expressly provided for in this section.

"Such fishing licenses shall not be transferable and it shall be unlawful to borrow, lend or alter any such fishing license or for any license-issuing officer to back-date any such license at the time of issuing same.

"Any citizen of this state who is entitled to purchase a fishing license as herein provided for may procure such license by applying to any judge of probate, license commissioner or other persons authorized and designated to issue fishing licenses, stating his or her name, age, color, place of residence and post office address and paying to such issuing officer the amount required herein for such license. Judges of probate, license commissioners or other persons authorized and designated to issue fishing licenses shall be entitled to a fee of twenty-five cents (25¢) for each license so issued, which fee shall be in addition to the amount designated in this section as the cost of such license. Provided, however, that all fees collected by any probate judge or license commissioner who is paid a salary for the performance of his duties shall be paid by him into the county treasury to the credit of the appropriate fund.

"All persons under the age of sixteen years shall be exempted from the requirement of procuring such licenses. Any citizens of this state over sixty-five years of age shall be exempted from the requirement of procuring a fishing license as provided for herein upon payment of an issuing fee not to exceed fifteen cents (15¢) to any judge of probate or license commissioner and, upon satisfactory proof to such judge of probate or license commissioner that he or she has attained the age of sixty-five years, an exempted fishing license will thereupon be issued to such person. Such exempted license issued to any citizen of this state who has attained the age of sixty-five years shall be issued upon a lifetime basis and without further requirements of annual renewal. In the event such license is lost, such citizen may acquire a similar license by paying to any judge of probate or license commissioner an issuing fee not to exceed fifteen cents (15¢) and upon again presenting satisfactory proof that he or she has attained the age of sixty-five years.

"The licenses required by this section shall not apply to any person or member of his immediate family who fishes in a private pond on lands owned by him nor shall it include any tenant or member of his immediate family who fishes in a private pond on lands leased or rented by such tenant and who resides on such lands. Nor shall the license required by this section apply to persons fishing with an ordinary hook and line in his or her county of residence or within one mile of his or her resident county boundary line. Provided, however, any person who fishes with ordinary hook and line in his own county of residence shall be required to have on his person, while so fishing, reasonable proof of said residency in such county.

"The revenue derived from the sale of the license provided for in this section shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the state treasury to the credit of the game and fish fund and shall be used in the construction, maintenance, development and supervision of public fishing lakes, for the purchase of lands to be used for public landings on public streams, and for the development, protection, propagation and distribution of fish and wildlife of this state.

"Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not less than ten dollars (\$10) nor more than twenty-five (\$25) for each offense."

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Edington	Horne	O'Bannon
Bailes	Fine	Jones	Owen
Branyon	Foshee	King	Pelham
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Dominick	Harris	Malone	Wilson
Dozier	Hawkins		

—29

Nay: Mr. Cooper —1

And said Bill, H. B. 39, as thus amended by the substitute was then read a third time at length and passed.

Yeas 24; Nays 1.

Yeas:

Messrs.:	Fine	Jones	Owen
Bailes	Foshee	King	Pelham
Carr	Gilmore	Lindsey	Register
Clark	Givhan	Littleton	Shelby
Cooper	Hammond	Lybrand	Vacca
Dozier	Horne	O'Bannon	Wilder
Edington			

—24

Nay: Mr. Hawkins —1

The Bill:

H. 801. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and reliver revenue bonds in exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	McLain
Bailes	Edington	Hawkins	Owen
Branyon	Fine	King	Pelham
Clark	Foshee	Lindsey	Pierce
Cook	Givhan	Littleton	Shelby
Cooper	Hammond	Lybrand	Wilder

—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 987. To amend the title and Section 1 of Act No. 121, H. 90, Special Session 1965 (Acts 1965, p. 174) which relates to closing the office of officials in the county courthouse in certain counties classified on a population basis.

Also:

S. 988. To repeal Act No. 86, S. 188, approved July 15, 1967, Regular Session 1967 (Acts 1967, p. 418), entitled, "An Act relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment."

Also:

S. 989. To amend the title and Section 1 of Act No. 88, S. 224, Regular Session 1967 (Acts 1967, p. 420) which provides clerk hire allowances for certain county officers in certain counties classified on a population basis.

Also:

S. 990. To amend the title and Section 1 of Act No. 146, S. 133, Special Session 1961 (Acts 1961, p. 2089) which provides clerical assistants and duties and compensation therefor for sheriffs in certain counties classified on a population basis.

Also:

S. 991. To amend the title and Section 1 of Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745) which provides expense allowances for certain deputy sheriffs in certain counties classified on a population basis.

Also:

S. 992. To repeal Act No. 505, H. 1105, approved August 20, 1965, Regular Session 1965 (Acts 1965, P. 745), entitled, "An Act relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county."

Also:

S. 993. To repeal Act No. 42, S. 124, approved June 12, 1961, Regular Session 1961 (Acts 1961, p. 63), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 preliminary county totals for Alabama, 1960 census of population, or any subsequent federal decennial census."

Also:

S. 1028. Relating to counties with populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$1,000.00 out of the general fund for the relief of Grover Dean, Juanita Parrish Dean and Etta Dean.

Also:

S. 1045. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for library service in Morgan County.

Also:

S. 1092. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Also:

S. 1102. To amend the title and Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body in certain counties classified on a population basis.

Also:

S. 1111. Relating to all counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing for the submission to the qualified voters of such counties the question of whether or not an annual license tax and registration fee shall be levied in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of such counties and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of the county; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of the county to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration; prohibiting any motor vehicle from using the public highways of such counties until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of promoting the industrial expansion and development of the county or payment of principal or interest on any obligation or indebtedness incurred for such purpose, and repealing all laws in conflict therewith.

Also:

S. 1121. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's department in said counties.

Also:

S. 1124. To create and provide for a county court in counties having a population of not more than 10,660, according to the most recent federal decennial census.

Also:

S. 1146. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Also:

S. 1147. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Also:

S. 1149. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Also:

S. 1158. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

Also:

S. 1162. To amend the title and Section 1 of Act No. 946, H. 1369, Regular Session 1969 (Acts 1969, p. 1680), which Act provides further for the annual salary of the chief deputy sheriff in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Also:

S. 1163. To amend the title and Section 1 of Act No. 779, H. 847, Regular Session 1969 (Acts 1969, p. 1394), which Act provides further for reimbursing the members of the county governing bodies of all counties having populations of less than 10,660, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Also:

S. 1165. To amend the title and Section 1 of Act No. 267, H. 63, Special Session 1961 (Acts 1961, p. 2283), which Act provides further for use of certain earmarked or dedicated school revenues for general educational purposes, including payment of teachers' salaries, in counties having populations of less than 10,660; repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Kinsey and Benton:

H. 2798. To provide courts in each county of the state having a population of not less than 57,000 nor more than 61,000 inhabitants ac-

cording to the most recent federal decennial census and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said courts; providing for its officers, and their appointment; elections; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court to said court hereby established; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before said court.

Also:

By Mr. Turnham:

H. 2817. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Lee County for improving enforcement of laws relative to and providing facilities for juveniles.

Also:

By Mr. Stubbs:

H. 2819. To authorize the Shelby County Governing Body to appropriate an allowance for expenses for the Shelby County Coroner.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Shelby County Governing Body to appropriate an allowance for expenses for the Shelby County Coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. The Shelby County governing body shall, beginning October 1, 1971, be authorized to appropriate from the General Fund of Shelby County an allowance for expenses for the Coroner of Shelby County in the amount of \$1,200.00 per year. Such allowance shall be payable in equal monthly installments and shall be in addition to all other allowances and compensation heretofore provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn, according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed,

has been made in said newspaper 4 weeks consecutively, to-wit, in issues thereof dated as follows: Aug. 5, 12, 19, 26, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 26th day of Aug., 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Coshatt:

H. 2822. Relating to St. Clair County, authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department and the Federal Deposit Insurance Corporation, any bank situated in St. Clair County shall be authorized to open, establish, operate and maintain at Moody in said county, a branch bank, branch office or other place of business for the receipts of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Ala-

bama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 4, August 11, August 18 and August 25, 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me this 25th day of August, 1971.

ANNE T. MILAM,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 2826. To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act to abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office, to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, by providing in Section 5 thereof that the President of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a Member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred

Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act To abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called 'The Board of Revenue of Covington County.'" consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed," by providing in Section 5 thereof that the president of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for

which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Be It Enacted by the Legislature of Alabama:

Section 1: Sections 5 and 31 of an Act approved May 25, 1945, Local Acts of 1945 beginning at page 23 entitled an Act, "To abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called, "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses; and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, "be and the same are hereby amended so as to read as follows:

"Section 5. QUALIFICATIONS BY AREA: The President of said Board and each Associate Member thereof shall be qualified electors of Covington County and shall be elected from the county at large. Each district as established in Section 3 hereof shall be entitled to a member on said Board and each candidate for election as an associate member of said Board upon qualification for election as such associate member of such board shall specify at the time of his or her qualification the designated district for which he or she seeks election.

Section 31. CONTINGENT FUND: The Board is hereby authorized and empowered to appropriate annually out of the moneys in the county Treasury not otherwise appropriated the sum of Fifteen Hundred Dollars (\$1500.00), to be known and called the "contingent fund", out of which any donation or expense may be paid that in the judgment of the Board are worthy and for the best interest of the County."

Section 2. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Andalusia Star News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 5, August 12, August 19, and August 26, all in the year 1971.

ED DANNELLY.

Sworn to and subscribed before me August 26, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Merrill, Sewart and Burgess:

H. 2829. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act.

Also:

By Messrs. Naramore and Crowe:

H. 2830. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

Also:

By Messrs. Culver, Parker (T), Robertson and Bank:

H. 2831. To amend Section 1 of Act No. 332, H. 688, Regular Session 1969 (Acts 1969, p. 706) which act provides for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Also:

By Messrs. Flipppo and Hill:

H. 2836. Relating to counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census; dividing all such counties which have heretofore been divided into four commissioners' districts into two commissioners' districts in lieu of the present four commissioners' districts; providing for

the election of two commissioners for each district; and fixing their qualifications and term of office.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2798, 2817, 2819, 2822, 2826, 2829, 2830, 2831 and 2836. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 2817, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stewart:

H. 643. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Also:

By Mr. Crawford:

H. 1024. To provide for the issuance of special license tags to members of the Alabama Jaycees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 643 and 1024. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 408. To amend Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), which act regulates and licenses barbers and barber colleges in Morgan County, by prohibiting the employment of non-licensed barbers in barber shops; by exempting certain barbers from paying the license fees; and by providing a penalty for failure to re-

new a barber's license within a certain period; and by fixing standards of qualification for instructors in barber colleges.

Also:

S. 429. Relating to counties having populations not less than 34,000 nor more than 34,500, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Also:

S. 759. To apply in all those counties in Alabama having a population of not less than 110,000 and not more than 150,000 inhabitants, according to the latest or any subsequent Federal Decennial Census, and to provide for an appeal to the Circuit Court of such counties by any Attorney at Law convicted in any Recorder's Court, or other Municipal Court, of contempt of such Court, and to provide that no appeal bond in such cases shall be in an amount in excess of \$300.00 and to provide for the approval of any such appeal bond by any Circuit Judge, Probate Judge, or Justice of the Peace in any such county; and to provide for the suspension of any punishment meted out by any such Recorder, or other Municipal Judge, pending the outcome of such appeal and to provide for a trial by jury of such contempt charge, when any such appeal is made, and to repeal all laws or parts of laws in conflict with this act

Also:

S. 776. Providing further for the operation of the county board of equalization of each county having a population of not less than 110,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board and providing for the employment of clerks and other employees of the board.

Also:

S. 785. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

S. 792. Relating to counties having populations of not less than 110,000 nor more than 150,000; to provide an additional alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Also:

S. 981. To amend the title and Section 1 of Act No. 43, S. 125, Regular Session 1961 (Acts 1961, p. 64) which provides for the payment of expenses of the county or deputy solicitors of certain counties classified on a population basis.

Also:

S. 982. To amend the title and Section 1 of Act No. 41, S. 123, Regular Session 1961 (Acts 1961, p. 62) which imposes additional duties upon and increases the compensation of the county solicitor of certain counties classified on a population basis.

Also:

S. 983. To amend the title and Section 1 of Act No. 45, S. 127, Regular Session 1961 (Acts 1961, p. 65) which requires the tax collector and tax assessor to act in an advisory capacity to the county board of equalization and to investigate complaints as to assessments and make reports thereon to said board and provides for additional compensation for such officers from the general fund, in certain counties classified on a population basis.

Also:

S. 984. To amend the title and Section 1 of Act No. 48, S. 130, Regular Session 1961 (Acts 1961, p. 67) which provides further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in certain counties classified on a population basis.

Also:

S. 985. To amend the title and Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175) as amended by Act No. 46, S. 116, Regular Session 1969 (Acts 1969-70, p. 335), which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties classified on a population basis.

Also:

S. 986. To repeal Act No. 64, H. 138, approved June 26, 1963, Regular Session 1963 (Acts 1963, p. 441), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Slate and Cauthen:

H. 2778. Relating to counties having populations of not less than 75,000 nor more than 80,000, according to the most recent Federal decennial census; to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws.

Also:

By Messrs. Slate and Cauthen:

H. 2779. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur in Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Decatur in Morgan County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property.

Lots 9 and 16 according to the map or plat of Section of Wilder Place Sub-division of N½ of Section 28, Township 5 South Range 4 West located near the City of Decatur, Alabama, according to map or plat of said sub division made by J. P. Melvin, C. E. and filed in the office of the Judge of Probate for the said County of Morgan, March 4th 1919, and containing 20 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/22, 7/29, 8/5, and 8/12, all in the year 1971.

S. D. NETTLES.

Sworn to and subscribed before me August 16, 1971.

ELIZABETH D. SANDLIN,
Notary Public.

Also:

By Messrs. St. John, McDonald and Drake:

H. 2786. Relating to counties having populations of not less than 50,000 nor more than 52,000; levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

By Mr. Barkett:

H. 2800. Relating to counties having populations of not less than 52,500 nor more than 54,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

By Mr. Baker:

H. 2801. To alter or rearrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or re-arrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Valley Head, DeKalb County, Alabama, be, and the same are hereby altered or rearranged so as to include within the corporate limits of said town all territory lying within the following described lands, to-wit:

Beginning at the Northwest corner of Section 29, Township 5 South, Range 10 East of the Huntsville Meridian run East along the North Section Line to the Northeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section; thence run Southeasterly to the Southeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section; thence run East on the forty line to the NE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence run South along the Section Line to the SE corner of NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in a Southwesterly direction to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 5 South, Range 10 East; thence run South on the Forty Line to the Southeast Corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, Township 5 South, Range 10 East; thence run in a Southwesterly direction to the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence run West along the South Section Line to the SW corner of Section 32, Township 5 South, Range 10 East; thence run North 61 degrees 52 minutes West 2,037.6 feet to the center line of the county road from Valley Head to Fort Payne; thence run South 30 degrees 38 minutes. West along the center of said road a distance of 405.8 feet and to the South line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31; thence run West to the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31; thence run North on the Forty Line to the Northwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence run Northeasterly to NE corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$; thence run North to the NW corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30, Township 5 South, Range 10 East; thence run East to the SE corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence run North 3,080 feet to a point on the East Line of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence run North 88 deg. 00 min. East 734.9 feet; thence run North 1 deg. 50 min. East 859 feet, more or less, to the North line of said Section 30; thence run East with the North Line of Section 30 to the point of beginning.

Said lands lying and being situated in Sections 29, 30, 31, and 32 all in Township 5 South, Range 10 East, DeKalb County, Alabama.

Section 2. That all laws and parts of laws, both general and special and local and conflict with this Act be, and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

**STATE OF ALABAMA
COUNTY OF DeKALB**

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 29, August 5, August 12, and August 19, all in the year 1971.

JERRY E. WHITTLE,
General Manager.

Sworn to and subscribed before me on this the 19th day of August, 1971.

DEEMA KEITH
Notary Public.

My Commission Expires: 8-9-73.

Also:

By Mr. Fite:

H. 2803. To regulate further the excusing of persons from jury service in the Twenty-fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent times; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

By Messrs. Hill and Flippo:

H. 2804. To alter, rearrange and extend the boundary lines and corporate limits of any city in the State of Alabama having a population of not less than 33,500 nor more than 36,500, according to the 1970 federal decennial census.

Also:

By Mr. Owens:

H. 2807. Relating to Hale County; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Hale County; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In Hale County every person, firm, corporation, copartnership, club or association, other than the State Alcoholic Beverage Control Board stores, who sells or distributes spirituous or vinous liquors shall pay a privilege or excise tax of ten percent on the sales price of each bottle or other container thereof.

(b) Every person, firm, corporation, copartnership, club, association, agency, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) shall pay a privilege license or excise tax upon the sale, use or consumption, distributing, storing or withdrawing from storage in said county of any malt or brewed beverages as herein defined. Such tax shall be in an amount equal to two cents on each twelve fluid ounces, or fractional part thereof, and one-sixth cent for each ounce in excess of twelve ounces in a container, of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in Hale County, which tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages. Provided, the Hale County Commission, if it deems it advisable, may levy an additional tax not to exceed two cents on each twelve fluid ounces or fractional part thereof and one-sixth cent for each ounce in excess of twelve ounces in a container on malt or brewed beverages sold, used, consumed, distributed, stored, or withdrawn from storage. Where the amount of tax levied under the provisions of this Act shall have been paid to the county or to any municipality therein by any seller, distributor, dealer, storer or user, such payment shall be sufficient, the intent being that the tax levied by this Act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the Hale County Commission who shall be solely responsible for the administration of this Act. Said commission shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be

verified by the oath of any seller, distributor, dealer, storer or other user claiming exemptions from payment of the tax on account of purchases made from others who have paid the tax imposed by this Act. Said county commission shall be authorized to employ such additional personnel and inspectors to assist in the administration and enforcement of this Act as is deemed necessary and desirable at a cost not to exceed ten percent of the proceeds of the tax per annum.

Section 3. (a) Each and every seller of spirituous or vinous liquors shall on or before the fifteenth day of the first full calendar month after the effective date of this Act, and on or before the fifteenth day of each calendar month thereafter, file with the commission, a written statement, sworn to and subscribed by such seller, showing the name and address of such seller, each and every purchase, receipt or procurement of spirituous or vinous liquor made by such seller during the calendar month next preceding together with the brand or brands of such spirituous or vinous liquors, the quantity of each brand, the size of the container of each brand, the date or dates on which purchased, together with the quantity of each brand of such spirituous or vinous liquors sold, distributed, or delivered.

(b) Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this Act, and on or before the 15th day of each calendar month thereafter, file with the commission a written statement, sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered.

(c) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of spirituous or vinous liquors or malt or brewed beverages within the county without first having obtained a permit to do so from the county commission and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section, or in any other part of this Act, shall authorize any sale, distribution or delivery of spirituous or vinous liquors or of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have

given to the county commission thirty days' notice in writing of his intent to destroy or dispose of such records. The county commission or its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as may be deemed advisable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county commission or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this Act to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this Act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due and the required information as to sales in the several tax recipient areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county commission to ascertain from such information and data as may reasonably be obtained the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in Section 3 or when he buys his decals or other devices from the county commission, if the commission requires the distributor or seller to buy decals or other devices.

Section 6. (a) It shall be the duty of the county commission to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in compliance with the provisions of this Act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the county commission to enforce the provisions of this Act, and to that end they are authorized to enter lawfully any premises of any retailer of spirituous or vinous liquors or of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving spirituous or vinous liquors or malt or brewed beverages, and to inspect the containers of spirituous or vinous liquors or malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this Act. It shall be lawful also for any police officer

or a deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. (a) Collection of the tax may be accomplished in this fashion:

The county commission of Hale County may procure decals or other devices susceptible of being affixed, with measurable permanance, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that evidences the payment of the tax levied by this Act, and may procure such forms and other printed matter and material as may be necessary in the administration of this Act. To reimburse Hale County for the cost and expense incurred by it in securing and furnishing the said decals or other devices, and forms and other matter furnished by the county commission. There shall be deducted from the gross amount of tax collected, at each tax-distribution period, the cost and expense incurred by the county in procuring and furnishing the decals or other devices contemplated by this Act and the cost of forms or other materials hereinbefore provided for, and shall pay over the amount so deducted to the county. Decals or other devices may be furnished by the commission to each seller or distributor of spirituous or vinous liquors and malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures less a ten percent discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of spirituous or vinous liquors or malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

(b) The amount distributed by the county commission to the several recipients of the proceeds of the tax as provided in this Act, shall be, as to each recipient of the tax, that recipient's proportionate part of the net proceeds of the tax, such net proceeds to be the total amount of taxes collected less the cost of collection and expenses of administration of this Act.

Section 8. After the payment of all costs of collection and enforcement of the tax levied herein, the net proceeds shall be prorated and distributed monthly by the county commission to the county and municipalities therein on the basis of their respective population according to the federal decennial census at the time the distribution is made. The county commission shall determine the distribution formula after each federal decennial census and the new formula shall go into effect on the first day of January of the year next succeeding the year in which the federal government publishes the decennial figures.

Section 9. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the county commission of Hale County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations set out by the commission shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest therein at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. The operation of this Act shall be retroactive to May 25, 1971, and all taxes paid pursuant thereto are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 5, August 12, August 19, and August 26, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 26, 1971.

WILLIE L. ARRINGTON,
Notary Public.

Also:

By Messrs. Slate and Cauthen:

H. 2811. Relating to the organization, jurisdiction and functions of certain Courts of Morgan County; revising the interior court system of said county; establishing "The Morgan County Court", defining its jurisdiction and powers, providing for its officers, their election; terms of office, powers, duties, and compensation, and for costs and fees in such court, abolishing "The Morgan County Court of Morgan County, Alabama" under the special laws creating it, providing for the transfer of all cases pending in said court to "The Morgan County Court", and providing for juvenile detention facilities in Morgan County, and juvenile probation officers and officers of the court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to the organization, jurisdiction and functions of certain Courts of Morgan County; revising the interior court system of said county; establishing "The Morgan County Court", defining its jurisdiction and powers, providing for its officers, their election; terms of office, powers, duties, and compensation, and for costs and fees

in such court, abolishing "The Morgan County Court of Morgan County, Alabama" under the special laws creating it, providing for the transfer of all cases pending in said court to "The Morgan County Court", and providing for juvenile detention facilities in Morgan County, and juvenile probation officers and officers of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in and for Morgan County a court of limited jurisdiction, which shall be called "The Morgan County Court".

Section 2. (a) "The Morgan County Court" shall be a court of record and shall have and exercise the following jurisdiction, authority and powers:

(b) Exclusive jurisdiction of all causes against persons charged with misdemeanors, except that this act shall not restrict the criminal jurisdiction of Justices of the Peace. On all indictments returned by Grand Juries of Morgan County against parties charged with a misdemeanor, the clerk of this court shall issue capias returnable to this court.

(c) Exclusive jurisdiction of all criminal cases appealed from the court of any Mayor, Recorder, Justice of the Peace, or Notary Public ex officio Justice of the Peace, and of proceedings for the determination of the paternity of an illegitimate provided for by Title 6, Code of Alabama, 1940, as last amended and recodified.

(d) Exclusive jurisdiction of all civil cases appealed from the court of any Justice of the Peace or Notary Public ex officio Justice of the Peace.

(e) Concurrent jurisdiction with the Circuit Court of Morgan County on all appeals from the Probate Court of Morgan County according to the election of the party taking the appeal.

(f) Unlimited jurisdiction concurrent with the Circuit Court of Morgan County in all Civil and Equity matters.

(g) It shall have power to issue any and all special and extraordinary writs that circuit courts or judges thereof are authorized to issue.

(h) It may exercise all other powers and authority that are, or that may hereafter be conferred upon the Circuit Courts or the Judges thereof, including the power to punish for contempt, consistent with the jurisdiction conferred hereby.

(i) Exclusive jurisdiction of all matters cognizant before a juvenile court, including the powers and jurisdiction conferred on courts authorized to try matters provided for by law in Chapter 7, Title 13; Article 3, Chapter 4, Title 34; Chapter 6, Title 45; Chapter 11, Title 52; all, Code of Alabama 1940, as last amended and recodified. Matters before the court relating to juvenile generally shall not be limited by statutes pertaining to juveniles, but shall be limited only by the general powers of equity courts as the law applies to equity courts in the exercise of their inherent jurisdiction to protect and care for children under the doctrine of parents patriae. Should any adult be charged with violation of the law in the Juvenile Division of said Court, he shall be tried by the Judge without the intervention of a jury. Should any adult defendant desire a jury trial, he shall demand a jury trial in writing prior to entering into trial on the merits of the cause, and after demand for jury trial has been made, the register of said court shall forthwith forward the warrants and complaint or affidavit to the clerk of this court,

who shall place the case on the trial docket for the next ensuing jury term of the criminal division of said court. Appeals from the decisions and orders of this court in the juvenile division of same, shall lie directly to the Supreme Court or Courts of Appeals in the same manner as appeals from the orders and decisions of circuit courts of this state. A record of the evidence and testimony shall be made and maintained in juvenile cases in the same manner as in the equity cases tried before said court. Costs in juvenile cases in this court shall be taxed as they are taxed in circuit courts in Equity on Appeals from Probate Courts exercising juvenile jurisdiction in accord with Chapter 7, Title 13, Code of Alabama 1940, as last amended and recodified. No costs shall be taxed in nonsupport cases.

Section 3. (a) All laws and rules of practice with reference to process, pleading and practice, and the drawing of juries in the several proceedings in the Circuit Court shall be applicable to this court, and all statutes and rules of practice pertaining to county courts and to the circuit court shall be applicable to criminal causes pending in this court.

(b) Prosecutions for misdemeanors committed in Morgan County may be instituted in Morgan County by making an affidavit before the Judge or the Solicitor of said Court, the writ on said affidavit to be issued by the clerk, Solicitor or Judge of said court, and when the defendant is arrested on said affidavit, the cause shall be docketed for trial and be tried as though the defendant had been indicted by a Grand Jury. Justices of the Peace and all Officers or Magistrates having the powers of Justice of the Peace in Morgan County shall have authority to issue warrants returnable to said court, and it shall be their duty in such cases to forthwith transmit the affidavits, warrants and bonds to the clerk of said court, which causes shall be placed upon the docket and tried in the same manner as if the same had been returned by indictment of a Grand Jury.

(c) Appeals from judgments of said court in all law, equity, criminal and juvenile cases shall be taken directly to the Supreme Court or Courts of Appeals in the same manner and within the same time that appeals are now taken from judgments in such cases in the circuit courts of this state.

(d) The Supreme Court, The Court of Civil Appeals, and The Court of Criminal Appeals of this state shall have supervisory jurisdiction over this court in the same manner as over circuit courts. The judge and solicitor of said court may be removed from office in the same manner as is provided for the removal of circuit judges and circuit solicitors. The Chief Justice of the Supreme Court of Alabama may when he deems proper, by order spread upon the minutes of said court, designate any circuit judge to hold said court or to try any cause pending in said court.

(e) Vacancies in any office created hereby, unless otherwise provided herein, shall be filled by appointment of the Governor, and persons so appointed shall hold office as required by the Constitution of this state.

Section 4. (a) A Judge of the Court herein established shall be elected by the qualified electors of Morgan County at the General Election of 1976. His term shall be for six years, from the second Tuesday after the first Monday in January, next following his election and until his successor is elected or qualified.

(b) The first judge of the court created hereby shall be the person holding office as Judge of "The Morgan County Court of Morgan County, Alabama" when the same is abolished by this act, and he shall

hold office until his successor is elected or appointed and assumes office as provided herein.

(c) The judge of this court shall receive an annual salary equal to an amount of Five Hundred Dollars less than the base annual salary of circuit judges, as set by statute, payable out of the general fund of the County in equal monthly installments.

(d) The judge of said court shall be a qualified elector of Morgan County, shall be learned in the law, shall be of the age of 25 years or over, and shall not engage in the practice of law while in office.

(e) The judge of this court shall keep an office in the Court-house of Morgan County, and it shall be the duty of the Morgan County Commission of Morgan County, Alabama, to provide such an office, and supply the same with necessary furnishings, fixtures, stationery and supplies.

Section 5. (a) There shall be a solicitor of this court, who shall be elected by the qualified electors of Morgan County at the general election of 1974. His term shall be for four years from the second Tuesday after the first Monday in January next following his election, and until his successor is elected and qualified.

(b) The first solicitor of the court created hereby shall be the person holding office as solicitor of "The Morgan County Court of Morgan County, Alabama" when the same is abolished by this act, and he shall hold office until his successor is elected or appointed and assumes office as provided herein.

(c) The solicitor of this court shall receive a salary of Five Thousand and Four Hundred Dollars per annum, payable in equal monthly installments at the end of each month out of the County Treasury.

(d) The solicitor of this court shall be a qualified elector of Morgan County, shall be learned in the law, shall be of the age of 25 years or over. He shall not, nor may any member or associate of his law firm, engage in the defense of criminal cases in any court in this state, either state or federal, while he is in office.

(e) It shall be the duty of the solicitor of this court to prosecute all criminal and juvenile cases pending in this court and to attend upon the sessions of the Grand Juries of Morgan County, Alabama. He shall further assist the district attorney in all matters concerning criminal causes arising in Morgan County when so requested by the district attorney.

Section 6. (a) The judge of said court shall appoint competent persons to serve as probation officers of the Juvenile Division of said court, who shall hold office at the pleasure of the judge. Each probation officer shall be an officer of the court and shall not be related to the judge within the fifth degree. The number of probation officers appointed by the judge shall be determined by the judge and the members of the Morgan County Commission and shall be the number of officers necessary to properly conduct the activities discharge the duties of the Juvenile Division of said court.

(c) It shall be the duty of the probation officers to assist the court in the rehabilitation of children made wards of the court and of the State of Alabama, and any other children or persons who are proper subjects of this court's juvenile jurisdiction. The probation officers shall supervise persons placed on probation by the court in its capacities as a juvenile court, and investigate cases involving delinquency, nonsupport, and related areas involving the welfare of juveniles and their families,

and make proper reports to the court as requested by the judge or solicitor. The probation officers shall refer to the Department of Pen-sions and Security for investigation cases involving dependency, neglect and suspected child abuse.

(c) One of the probation officers shall be designated by the judge of said court as Chief Probation Officer and shall supervise the functions of the probation staff of the Juvenile Division of said court.

(d) The probation officer designated as Chief Probation Officer shall receive a salary prescribed by the judge of said court, but not in excess of Nine Thousand Dollars per annum, payable in equal monthly installments out of the county treasury, on the certificate of the judge of this court at the end of each month.

(e) The other probation officers shall receive a salary prescribed by the judge, but not in excess of Seven Thousand Two Hundred Dol-lars per annum, payable in equal monthly installments out of the county treasury, on the certificate of the judge of this court at the end of each month.

(f) The judge of said court shall appoint a competent person to serve as secretary and clerk of the Juvenile Division of the said court who shall hold office at the pleasure of the judge. It shall be the duties of such person to maintain the records of the Juvenile Division of the said court, serve as secretary to the Juvenile Court probation officers, and perform other duties requested by the judge or probation officers. Such person shall receive a salary prescribed by the judge with the approval of the Morgan County Commission, payable in equal monthly installments out of the county treasury, on the certificate of the judge of this court at the end of each month.

Section 7. (a) The judge of this court shall have authority to administer a juvenile detention facility and may appoint a committee which shall constitute and be the advisory committee to the detention facility. Such committee shall be composed of not less than three persons known for their interest in the welfare of children and shall serve with-out compensation and hold office at the pleasure of the court or of the judge thereof.

(b) It shall be the duty of the Morgan County Commission to ap-propriate a reasonable sum of money each year out of the treasury of said county to acquire, provide for, and maintain proper juvenile facili-ties in Morgan County for the temporary shelter, care, and detention of children confined at the facility under the direction of the court until such time as appropriate orders may be made by the court for the trans-fer of said children to more permanent facilities. Such facility shall be located in Morgan County and shall in each instance be occupied by persons of good moral character who shall supervise, care for, and feed wards of the court committed to said facilities, and shall serve at the pleasure and under the direction, of the judge of this court. Said facili-ties shall be completely separate and apart from any jail or penal in-stitution provided by said county for the incarceration of adults.

Section 8. The clerk of the Circuit Court of Morgan County shall be ex officio clerk of said court and shall have the powers, and dis-charge the duties which will devolve upon the clerk of the circuit court, except in equity cases, and shall be subject to the same pains and penal-ties with regard to the duties of the office, and shall be entitled to the same fees as are now, or may hereafter, be allowed to circuit clerks of Alabama, and the same shall be collected as such fees are collected in the circuit court, and the deputy clerk of the Circuit Court of Morgan County shall be ex officio deputy clerk of the Morgan County Court, and exercise the same powers and duties as are exercised in the circuit

court by such deputy clerks. The register of the Circuit Court of Morgan County shall be ex officio register of the Morgan County Court and as such ex officio register shall have the same powers and discharge the same duties which devolve upon the register of the circuit court, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees as are now or may hereafter be allowed registers of the circuit court, and the same shall be collected as such fees are collected in the circuit court. The register of the Circuit Court shall also be entitled to the same amounts for ex officio services rendered in this court as the clerk of the circuit court, as provided by general laws, to be allowed and paid in the same manner as provided for said clerk.

Section 9. All juvenile cases shall be docketed and recorded in the office of the register of this court, and where fees for costs are allowed herein, or by the general laws of the State of Alabama, he shall collect and receive the same. No costs shall be taxed in non support cases.

Section 10. (a) The judge of said court shall appoint a competent shorthand reporter to perform the duties of official court reporter of said courts, who shall hold office at the pleasure of the judge and who shall receive a salary equal to the salary paid court reporters in the circuit courts in the Eighth Judicial Circuit of Alabama, payable in equal monthly installments out of the county treasury on the certificate of the judge of the said court at the end of each month. In all criminal cases and causes pending on the law side of said court, there shall be taxed as part of the costs a reporter's fee for \$3.00 on each case, to be collected as other costs and paid by the clerk of the said court into the county treasury for the benefit of the general fund. The said court reporter shall have the authority to administer oaths, and shall be an officer of the court, and shall not be related to the judge of the said court within the fifth degree. The reporter shall also perform any secretarial duties prescribed by the judge.

(b) The judge of the said court shall appoint a competent person to perform the duties of secretary to the judge, who shall serve at the pleasure of the judge and shall receive a salary prescribed by the judge with the approval of the Morgan County Commission, payable in equal monthly installments out of the county treasury on the certificate of the judge of the said court at the end of each month.

Section 11. The judge of said court may determine and fix the time of holding the session of said court for the trial of all cases triable in said court, provided that the judge of said court shall designate and set a term or session of said court at least once a year, by entering and making an order upon the minutes of said court; provided, however, that the judge of said court may call and hold as many special, extra, or adjourned sessions of said court as in his judgment is necessary.

Section 12. (a) The sheriff of Morgan County shall in person, or by a deputy or deputies appointed by him, said appointment to be approved by judge of this court, be required to attend said court and preserve order and execute all writs of process and perform all such other duties in all respects as in the circuit courts of this state, and for himself and each deputy required for attendance at sessions of said court, he shall receive the sum of \$3.00 per day, payable out of the county treasury upon his warrant approved by the judge, provided that the sheriff and his deputies shall not receive pay except for the time that the court is actually in session, and none of which compensation to the deputies shall be shared in by the sheriff.

(b) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a circuit court bailiff.

Section 13. The clerk and the register of this court shall each have and maintain an official seal of this court.

Section 14. All laws pertaining to costs and fees in cases in the circuit court and criminal cases in the county court as provided by the general laws of this state shall be applicable to this court except as herein otherwise provided. A trial tax of \$2.00 is imposed in each case, criminal and civil both at law and equity, excepting juvenile cases, which is docketed in said court to be taxed and collected as other costs in said court, and when collected, to be paid in to the county treasury for the benefit of the general fund.

Section 15. Act No. 175, H. 190, approved August 23, 1966, entitled "An Act relating to the organization, jurisdiction and functions of certain courts of Morgan County; revising the interior court system of said county; establishing "The Morgan County Court of Morgan County, Alabama", defining its jurisdiction and powers, providing for its officers, their election; terms of office, powers duties, and compensation, and for costs and fees in such court, abolishing "The County Court of Morgan County, Alabama" under the special laws creating it, providing for the transfer of all cases pending in said court to "The Morgan County Court of Morgan County, Alabama", and providing for juvenile detention facilities in Morgan County, and juvenile probation officers and officers of the court", and all other acts, the subject of which is to amend or modify the act above entitled, are hereby repealed and all cases now pending in "The Morgan County Court of Morgan County, Alabama" including law, equity, criminal and juvenile cases, together with the records pertaining to such pending cases shall be transferred to "The Morgan County Court", on the effective date of this act, and thereupon "The Morgan County Court", shall immediately after this act becomes effective assume complete jurisdiction over all such pending cases, and shall have the same power and control over these cases as if they had been originally filed in "The Morgan County Court".

Section 16. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. This Act shall become effective on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/13, 7/20, 7/27, and 8/3, all in the year 1971.

S. D. NETTLES.

Sworn to and subscribed before me August 24, 1971.

ELIZABETH D. SANDLIN,
Notary Public.

Also:

By Mr. Owens:

H. 2808. To repeal Act No. 215, H. 254, approved August 4, 1961, Regular Session 1961 (Acts 1961, p. 243), entitled "An Act To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 14,300 nor more than 14,800 according to the last or any subsequent federal decennial census."

Also:

By Mr. Owens:

H. 2809. To repeal Act No. 145, H. 181, as last amended, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 194), entitled, "An Act providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600."

Also:

By Messrs. Cauthen and Slate:

H. 2812. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Eighth Judicial Circuit of Alabama.

Also:

By Messrs. Slate and Cauthen:

H. 2813. To amend the title and body of Act No. 165, H-554, Regular Session 1945, (Acts 1945, Page 82), providing for the creation of a Hospital Board of Morgan County, Alabama, to manage and control the hospital and hospital properties to be acquired by Morgan County, Alabama, and the City of Decatur, Alabama, and to provide for the membership of said board and its power, duty and authority, and the power and authority of the City of Decatur and Morgan County with reference thereto; to declare that said board is created for the purpose of continuing the operation of a hospital formerly known as Benevolent Society Hospital and is entitled to the benefits of all devices and bequests made for the benefit of said hospital, particularly the bequest made in the will of W. R. Spight, deceased, and the bequest made in the will of Mary D. Simpson, deceased, and to require the trustees of the funds so bequeathed to account to said board for the same, and to further provide for additional physician members on said Board, their mode of selection, their powers and term of office.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend the title and body of Act No. 165, H-554, Regular Session 1945, (Acts 1945, Page 82), providing for the creation of a Hospital Board of Morgan County, Alabama, to manage and control the hospital and hospital properties to be acquired by Morgan County, Alabama, and the City of Decatur, Alabama, and to provide for the membership of said board and its power, duty and authority, and the power and authority

of the City of Decatur and Morgan County with reference thereto; to declare that said board is created for the purpose of continuing the operation of a hospital formerly known as Benevolent Society Hospital and is entitled to the benefits of all devises and bequests made for the benefit of said hospital, particularly the bequest made in the will of W. R. Spight, deceased, and the bequest made in the will of Mary D. Simpson, deceased, and to require the trustees of the funds so bequeathed to account to said board for the same, and to further provide for additional physician members on said Board, their mode of selection, their powers and term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 165, H. 554, Regular Session 1945 (Acts 1945, Page 82) is amended to read as follows:

To create a Hospital Board of Morgan County, Alabama, to manage and control the hospital and hospital properties to be acquired by Morgan County, Alabama, and the City of Decatur, Alabama, and to provide for the membership of said board and its power, duty, and authority, and the power and authority of the City of Decatur and Morgan County with reference thereto; to further provide for additional members on said boards who are physicians, surgeons or doctors of medicine, the mode of selection, their terms of office, duties and powers; to declare that said board is created for the purpose of continuing the operation of a hospital formerly known as Benevolent Society Hospital and is entitled to the benefits of all devises and bequests made for the benefit of said hospital, particularly the bequest made in the will of W. R. Spight, deceased, and the bequest made in the will of Mary D. Simpson, deceased and to require the trustees of the funds so bequeathed to account to said board for the same.

Section 2. Act No. 165, H. 554, Regular Session 1945 (Acts 1945, Page 82) is amended to read as follows:

"Section 1. that there is hereby created a hospital board by the name of Hospital Board of Morgan County, Alabama, as a public corporation, for the purpose of managing, controlling and operating the hospital and hospital property to be acquired jointly by Morgan County and the City of Decatur from the Ladies Benevolent Society of the Decaturs, a corporation, and such additions thereto as may hereafter be made, and such other hospital properties as may hereafter be acquired jointly by said city and county. Said board shall be composed of five (5) members, three (3) of whom shall be residents of Morgan County, Alabama, and shall not be a physician, surgeon, or doctor of medicine, and two (2) of whom shall be a physician, surgeon or doctor of medicine and each of whom shall be a resident of Morgan County, Alabama, and shall be an active member of the staff of Decatur General Hospital.

"Section 2. Said board shall have authority to sue and be sued, and to equip, control, enlarge, improve, maintain and operate said hospital properties for the reception and treatment of the sick and infirm, and to employ agents, servants, and employees, and to fix the authority of each, and the compensation of each, and to do such other things as may be necessary or proper for the operation of said hospital. The board may employ a manager or superintendent of said hospital and may delegate to him general authority to manage said hospital, including authority to employ subordinate employees and to fix their compensation, to purchase supplies and equipment, to make repairs and replacements to the hospital building and equipment, to extend credit to prospective patients, to admit charity patients, and to collect accounts and debts due, and to perform such other acts as the board may direct. Any person employed in connection with the operation of said hospital

may be discharged by the board at its pleasure. The board shall have authority to borrow money and to secure the payment of money borrowed by mortgage on said hospital properties, to acquire real and personal property by purchase, gift, devise or bequest, and to sell such real and personal property as it may deem not to be necessary for its purposes and functions. The board shall have authority to construct or acquire a building for housing nurses and to provide for the training of nurses.

"Section 3. That said board may make such rules and regulations as it may deem proper to govern the operation of said hospital, and particularly governing the admission of charity patients, and governing the physicians and surgeons who shall be entitled to practice in said hospital and to treat patients therein.

"Section 4. That it shall be the duty of said board to continue the operation of the hospital formerly and heretofore known as the Benevolent Society Hospital, that is the hospital now owned by the Ladies Benevolent Society of the Decatur, which is the hospital to be conveyed to Morgan County and the City of Decatur upon the passage of this act in accordance with an agreement made by the said Ladies Benevolent Society of the Decatur bearing date October 15, 1943, and in accordance with a resolution adopted by the Board of Revenue and Control of Morgan County, Alabama, on March 12, 1945, and a resolution adopted by the City Council of the City of Decatur on March 19, 1945, and it is hereby declared that said board is created for the purpose, among others, of performing the service and functions heretofore for many years performed by the said hospital operated by the Ladies Benevolent Society of the Decatur under the name of Benevolent Society Hospital. The said board shall be entitled to the benefits of the bequest made in the last will and testament of W. R. Spight, deceased, and to the bequest made in the last will and testament of Mary D. Simpson, deceased, both bequests being in favor of the trustees of the Benevolent Society Hospital, and to all other devises and bequests heretofore made for the benefit of said hospital, the same to be used and expended by the board for the uses and purposes and objects specified in the respective instruments providing for the same. The persons now holding and managing the bequests and devices hereinabove mentioned as trustees shall proceed immediately upon the approval of this act to account to the board for the trust funds held by them and shall transfer said trust funds to said board, and thereafter the board shall hold and manage and invest said trust fund in accordance with the terms and provisions of the respective instruments creating said trusts.

"Section 5. The board shall make semi-annual reports to the governing bodies of Morgan County and the City of Decatur showing the results of the operation of said hospital, for the six months periods ending March thirty-first and September thirtieth.

"Section 6. No act of said board shall create any obligation or liability on either Morgan County or the City of Decatur, but the said county and the said city may make appropriations of public funds for the operation, maintenance, equipment, and improvement of said hospital properties and may borrow money for such purposes. Morgan County and the City of Decatur acting jointly shall have authority to acquire by eminent domain any property deemed by the board to be necessary for the proper operation of said hospital.

"Section 7. Phil M. Orr is hereby named and appointed as a member of the board to serve until September 30th, 1947, and until his successor is designated. L. L. Lively is hereby named and appointed as a member of the board to serve until September 30th, 1949, and until his successor is designated. T. J. Cottingham is hereby named and appointed as a member of the board to serve until September 30th, 1951, and until

his successor is designated. Any vacancy in the original term of any original member of said board shall be filled by appointment of the Governor. Upon the expiration of said original terms of office the governing bodies of the county and city shall alternate in appointing successors in office, the governing body of the county to appoint the first successor. The physician members of said board shall be initially appointed one (1) for a three (3) year term beginning October 1, 1971, and expiring September 30, 1974, and the other beginning October 1, 1971, and expiring September 30, 1977. Thereafter, each physician member's term shall be of the same duration as that of other successor members to the original board. All successors to the original members of said board shall hold office for a term of six years, and in case of a vacancy in the office of any successor it shall be filled by appointment made by the body which filled the vacant term.

"Section 8. At the first meeting of the board after passage of this Act, the members shall select one of their number as chairman and one of their number or such other person as the board desires as secretary to hold office until September 30th, 1947. Thereafter the board shall bi-annually elect from among their number a chairman and a secretary. Vacancies in the offices of chairman and secretary shall be filled by the board if and when the same may occur.

"Section 9. The board shall hold regular meetings at least once each month and such special meetings as the chairman of the board or any three (3) members thereof may call at any time he or they consider that business demands that a meeting be held. Notice of special meetings shall be given to each of the members of the board for at least one day prior to such meeting. Any three (3) members of the board shall constitute a quorum for the transaction of business. A true record of all of the proceedings of all meetings of the board shall be kept by the secretary. The record of the proceedings of said board shall be open to the governing bodies of the city and county and to the public at all times, and a copy of said records, certified by the secretary, shall be competent evidence in all courts.

"Section 10. If any clause, sentence, section or part of this act shall be declared invalid, it shall not render the remaining parts of the same invalid but they shall remain in full force and effect.

"Section 11. This Act shall become effective on the date of its approval by the Governor."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 8/3, 8/10, 8/17, and 8/23, all in the year 1971.

S. D. NETTLES.

Sworn to and subscribed before me August 23, 1971.

LUCILE S. JERVIS,
Notary Public.

Also:

By Mr. Grey (D):

H. 2814. To alter, rearrange and extend the corporate limits of the Town of Vernon, Lamar County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

THE STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the Town of Vernon, Lamar County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Vernon, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The SW $\frac{1}{4}$ of NW $\frac{1}{4}$, the W $\frac{1}{2}$ of SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 4; the W $\frac{1}{2}$ of NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, the E $\frac{1}{2}$ of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 8; the S $\frac{1}{2}$ of NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 9; the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, the W $\frac{1}{2}$ of SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 10; the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 14; the W $\frac{1}{2}$ of NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 15; All of Section 16; the E $\frac{1}{2}$ of NE $\frac{1}{4}$, the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 17; The NE $\frac{1}{4}$, the SE $\frac{1}{4}$, the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 20; the N $\frac{1}{2}$ of N $\frac{1}{2}$, the S $\frac{1}{2}$ of NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21; the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22, and the N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 23, all in Township 15 South, Range 15 West, of Huntsville Meridian, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and, local, in conflict with this Act be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

THE STATE OF ALABAMA LAMAR COUNTY

Before me, Nellie Ruth Taggart, a Notary Public in and for said County, personally appeared Rex Rainwater, Publisher of THE LAMAR DEMOCRAT, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once a

week for 4 consecutive weeks in said paper in issues dated as follows: August 5, August 12, August 19 and August 26, 1971.

REX RAINWATER,
Publisher.

Subscribed and sworn to before me, this the 26th day of August, 1971.

NELLIE RUTH TAGGART,
Notary Public.

My Commission Expires 8-23-73.

Also:

By Messrs. Cross and Carter:

H. 2815. To change the method of compensating the judge of probate, the tax assessor, the tax collector, the circuit clerk and register in chancery of Lawrence County; fixing the salaries of such officers and providing for the clerical assistance, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the judge of probate, the tax assessor, the tax collector, members of county court of commissioners, the county solicitor, the circuit clerk and register in chancery of Lawrence County; fixing the salaries of such officers and providing for the clerical assistance, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Lawrence County shall be entitled to receive compensation as follows:

- (a) For the judge of probate, an annual salary of \$14,000.00;
- (b) For the county solicitor, an annual salary of \$4,800.00;
- (c) For the tax assessor, an annual salary of \$8,500.00;
- (d) For the tax collector, an annual salary of \$8,500.00;
- (e) For the clerk of the circuit court, an annual salary of \$8,500.00
- (f) For the Register in chancery, an annual salary of \$2,000.00
- (g) For members of county court of commissioners, an annual salary of \$2,400.00

Such salaries shall be paid in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the judge of probate, county solicitor, tax assessor, tax collector, circuit clerk and register in chancery, hereafter shall be collected and paid into the general fund of

the county. However, the sheriff shall continue to procure and prepare the food for county prisoners, at no expense to the county, and shall be entitled to retain the allowances payable by the state for such purpose.

Section 3. The governing body of Lawrence County shall provide the judge of probate, tax assessor, tax collector, members of county court of commissioners, the county solicitor, circuit clerk and register with such clerical assistance, quarters, books, stationery, furniture, equipment, postage, travel expenses and such other conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Each of said officers shall have the authority to appoint such clerical assistants and deputies as shall be authorized for his office, and they shall serve at the pleasure of the appointing authority.

On or before August 15 of each year each officer shall file with the governing body of the county a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for operation of his office during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October each year, and the budget so adopted shall make such provisions with respect to the operation of each office as the county governing body may determine reasonable and proper.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective upon the approval of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in Lawrence County, and the fees, commissions, percentages allowances or salary of, and the method of compensating certain officers of Lawrence County; and upon the approval of this act by a majority of the electors of Lawrence County voting in a referendum to be held on the same day as the first primary election held in 1972. The governing body of Lawrence County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No.____, enacted by the Legislature in 1971, which changes the method of compensating certain officers of Lawrence County from the fee basis to the salary basis, be adopted? Yes () No ()." If a majority of the votes cast at the election are "Yes," the provisions of this act shall become applicable to each of the offices mentioned in Section 1 hereof upon the expiration of the term of office of the present incumbent of each of such offices provided that the amendment to the Constitution of Alabama herein mentioned is also adopted. If a majority of the votes cast in the election upon this act are "No," this act shall have no further effect. The results of the election, however, shall be certified by the probate judge of Lawrence County to the secretary of state of Alabama, who shall make a permanent record thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 5, August 12, August 19, and August 26, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 26, 1971.

LeRUTH G. SLATON,
Notary—5-3-75.

Also:

By Messrs. Cross and Carter:

H. 2816. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Lawrence County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Lawrence County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation of the Governor:

Proposed Amendment

The Legislature may, from time to time, by general or local laws applicable to or operative in Lawrence County, fix, regulate, and alter the costs and charges of court and the fees, commissions, allowances, and salaries, including the method and basis of their compensation, to be charged or received by the judge of probate, tax assessor, tax collector, and the clerk and register of the circuit court of Lawrence County; and may place any or all of such officers on a salary and provide for the fees, commissions, allowances, and percentages collectible by such officers to be paid into the treasury from which their salaries are paid.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 5, Aug. 12, Aug. 19, and Aug. 26, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 26, 1971.

LeRUTH G. SLATON,
Notary 5-3-75.JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2778, 2779, 2786, 2800, 2801, 2803, 2804, 2807, 2811, 2808, 2809, 2812, 2813, 2814, 2815, and 2816. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 2816, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1174. To repeal Act No. 125, H. 319, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 401), entitled, "An Act To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws."

Also:

S. 1175. To amend the title and Section 1 of Act No. 703, H. 966, Regular Session 1965 (Acts 1965, p. 1305) which provides further for the selection of textbooks and instructional materials for use in the public schools in certain counties classified on a population basis.

Also:

S. 1176. To establish the salary of the solicitor of the Intermediate Court in counties having a population of not less than 55,500 nor more than 56,500, according to the most recent Federal decennial census.

Also:

S. 1183. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. 1, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Also:

S. 1186. Further regulating the meetings of the county board of registrars in Morgan County.

Also:

S. 1192. To amend the title and Section 1 of Act No. 37, S. 69, Special Session 1964 (Acts 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

S. 1193. To amend the title and Sections 1 and 2 of Act No. 932, H. 1346, Regular Session 1969 (Acts 1969, p. 1670) which establishes the procedure for the selection of a depository of the funds of the Board of Education and fixes the compensation for the members of the County Board of Education in certain counties classified on a population basis.

Also:

S. 1194. To amend the title and Section 1 of Act No. 213, H. 431, Regular Session 1969 (Acts 1969), p. 533) which provides for payment of in-county travel expenses for county commissioners, payable from the county treasury in certain counties classified on a population basis.

Also:

S. 1195. To amend the title and Section 1 of Act No. 62, H. 610, Regular Session 1969 (Acts 1969, p. 354) which provides for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education in certain counties classified on a population basis.

Also:

S. 1196. To repeal Act No. 641, S. 543, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1161), entitled, "An Act To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof."

Also:

S. 1197. To amend the title and Section 1 of Act No. 614, H. 1158, Regular Session 1965 (Acts 1965, p. 1128) which fixes the compensation of the clerk of the register and provide for payment thereof in certain counties classified on a population basis.

Also:

S. 1198. To amend the title and Section 1 of Act No. 38, S. 70, Special Session 1964, (Acts 1964, p. 58) which regulates the pay of election officers in certain counties classified on a population basis.

Also:

S. 1199. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, in-

cluding the Chairman or Ex-Officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a population of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

Also:

S. 1201. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Also:

S. 1202. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

S. 1203. To amend the title and Section 1 of Act No. 720, H. 1235, Regular Session 1965 (Acts 1965, p. 1325) which provides an expense allowance for the superintendent of education in certain counties classified on a population basis.

Also:

S. 1204. To amend the title and Section 1 of Act No. 583, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Also:

S. 1205. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

Also:

S. 1206. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

Also:

S. 1209. Relating to Dale County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Burgess:

H. 2490. To provide that all contracts of insurance of policies of insurance providing payment for health services issued or delivered in this State shall offer provisions to cover and include the services of chiropractors.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2490. To the Committee on Commerce, Transportation and Common Carriers.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1851. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

was taken up.

Mr. Branyon offered the following amendment to the Bill, H. B. 1851, to-wit:

AMENDMENT TO H. B. 1851

Amend House Bill No. 1851 as follows:

In Section 8 on page 6 of said bill strike out the word "required" where said word appears in said Section and insert in lieu thereof the word "require".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Littleton	Pelham
Bailes	Edington	Lybrand	Pierce
Branyon	Fine	McLain	Register
Carr	Givhan	Malone	Shelby
Clark	Horne	Noonan	Vacca
Cook	Jones	O'Bannon	Weaver
Cooper	King	Owen	Wilder

—27

Nays:

—0

And said Bill, H. B. 1851, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Littleton	Pelham
Branyon	Foshee	Lybrand	Pierce
Carr	Gilmore	McLain	Register
Clark	Givhan	Malone	Shelby
Cook	Hammond	Noonan	Vacca
Cooper	Horne	O'Bannon	Wilder
Dominick	Jones		

—29

Nays:

—0

The Bill:

H. 894. To regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor; to provide that the sale, offering for sale, distribution and transportation of certain highly toxic pesticides may be restricted, limited in use or prohibited; to require the annual registration of pesticides with the Commissioner of Agriculture and Industries before such products are sold, offered for sale or delivered or transported within this State; to require use permits for the purchase and use of restricted use pesticides; to require a special license for the sale or offering for sale of any restricted use pesticides; to create and establish a Pesticide Advisory Committee to perform certain duties in connection with the administration of this Act; and to provide for the administration and enforcement of this Act by the Commissioner of Agriculture and Industries with exemption provisions; authorizing the adoption of rules and regulations to carry out the purpose of this Act; to provide enforcement and penalty provisions for violations of this Act, and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	

—30

Nays:

—0

The Bill:

H. 2308. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; and relieving the probate judge of all duties with respect to the county governing body.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 2308, to-wit:

SUBSTITUTE FOR H. B. 2308

**A BILL
TO BE ENTITLED
AN ACT**

Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; and relieving the probate judge of all duties with respect to the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commission of any county having a population of not less than 35,000 nor more than 38,000, according to the most recent federal decennial census, is hereby abolished, and there is created in lieu thereof a County Commission, to be composed of five commissioners as hereinafter provided. Each commissioner shall be a resident and qualified elector of a commissioners district as provided herein, except the Chairman of the County Commission who may reside anywhere in the county. The Chairman shall be elected by the electors of the county at large at the general election held in November of 1972. Each Commissioner, except the Chairman, shall be elected by the electors of his district as provided herein, at the general election held in November of 1972. Each commissioner shall serve four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. In the event of a vacancy, the same shall be filled by appointment by the Governor for the unexpired term.

Section 2. The Commissioners Districts of any such county as prescribed in Section 1 of this Act shall be divided as follows: District No. 1 shall embrace and comprise Beats 3, 4, 5, 8, 9, 10, and 11. District No. 2 shall embrace and comprise Beats 1, 2, 6, all of Beat 7 except the City of Lanett, Beat 12, and that part of Beat 13 northwest of Interstate 85 as well as Beat 13 Box 1 (Shawmut). Beat 13 Box 1 would include the portion of Beat 13 southeast of Interstate 85 consisting of T21N, R28E section 1 and T21N, R29E section 5 and 6. District No. 3 shall embrace and comprise the City of Lanett. District No. 4 shall embrace and comprise all of Beat 13 southeast of Interstate 85 excluding that portion of Beat 13 in District No. 2. The beats which shall comprise the Commissioners Districts shall be as they are presently geographically constituted.

Section 3. The County Commission of any such county as prescribed in Section 1 of this Act, shall have all of the jurisdiction and powers which are, or which hereafter may be vested in County Commissions, Boards of Revenue, or other like governing bodies of the state by general law, or in the governing body of any such county by local law. The County Commission shall meet at least four times in each calendar month. The chairman shall receive a salary of \$6,000 per annum, and the other four commissioners each shall receive \$4,200 per annum, all to be paid from the county funds, including the road and bridge fund, in equal monthly installments.

Section 4. As of the beginning of the terms of office of the members of the County Commission of any such county as prescribed in Section 1 of this Act, as herein provided, the judge of probate of said county shall be released of all duties, powers and authority as presiding officer of the county governing body and such duties, powers and authority shall be assumed by the chairman of the commission as provided herein. Any compensation or allowances paid to the judge of probate for his duties in connection with the governing body shall cease at the time the members of the County Commission take office as provided herein.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Horne, said substitute was laid on the table.

Mr. Horne offered the following substitute for the Bill, H. B. 2308, to-wit:

SUBSTITUTE FOR H. B. 2308

A BILL TO BE ENTITLED AN ACT

Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; relieving the probate judge of all duties with respect to the county governing body; and fixing the compensation of the commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commission of any county having a population of not less than 35,000 nor more than 38,000, according to the most recent federal decennial census, is hereby abolished, and there is created in lieu thereof a County Commission, to be composed of five commissioners as hereinafter provided. Each commissioner shall be a resident and qualified elector of a commissioner's district as provided herein, and shall be elected by the electors of the county at large at the general elections held in November of 1972 and November of 1974. Each commissioner shall serve four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. In the event of a vacancy, the same shall be filled by appointment by the Governor for the unexpired term. Commissioners for Districts 1, 3, and 5 shall be elected in 1972. Commissioners for Districts 2 and 4 shall be elected in 1974.

Section 2. The Commissioner's Districts of any such county as prescribed in Section 1 of this Act shall be divided as follows: District No. 1 shall embrace and comprise Beats 1, 2, 3, 4, 5, and 6. District No. 2 shall embrace and comprise Beats 8, 9, 10, 11, and 12.

District No. 3 shall embrace and be comprised of the following sections located in Beat 7 of such county: T22N, Range 27E, Sections 1, 2, 11, 12, 13, 14, 23, and 24; T22N, Range 28E, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, plus all of the area within the corporate limits of the City of Lanett. District No. 4, shall embrace and be comprised of the following sections located in Beat 7; T22N, Range 27E, Sections 25, 26, 35, and 36; T22N, Range 28E, Sections 31, 32, 33, 34, and all of that portion of Sections 35 and 36 not within the corporate limits of the City of Lanett; plus T22N, Range 29E, Sections 31 and 32. District 4 shall also embrace and be comprised of the following sections located in Beat 13: T21N, Range 28E, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, and 22; T21N, Range 29E, Sections 5 and 6.

District 5 shall embrace and be comprised of the following sections located in Beat 13: T21N, Range 28E, Sections 11, 12, 13, 14, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; T21N, Range 29E, Sections 7, 17, 18, 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34; T20N, Range 28E, Sections 1, 2, 3, 4, 5, and 6; T20N, Range 29E, Sections 4, 5, and 6.

Section 3. The County Commission of any such county as prescribed in Section 1 of this Act, shall have all of the jurisdiction and powers which are, or which hereafter may be vested in County Commissions, Boards of Revenue, or other like governing bodies of the state by general law, or in the governing body of any such county by local law. The County Commission shall meet at least four times in each calendar month, and at the first meeting shall elect a chairman from their number who shall serve as such for the entire four year term. Such chairman shall receive a salary of \$7,200 per annum, and the four commissioners shall receive \$6,000 per annum, each to be paid from county funds, including the road and bridge fund, in equal monthly installments.

Section 4. As of the beginning of the terms of office of the first members of the County Commission of any such county as prescribed in Section 1 of this Act, as herein provided, the judge of probate of said county shall be relieved of all duties, powers and authority as presiding officer of the county governing body and such duties, powers and authority shall be assumed by the chairman of the commission as provided herein. Any compensation or allowances paid to the judge of probate for his duties in connection with the governing body shall cease at the time the members of the County Commission take office as provided herein.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Edington	Gilmore
Clark	Dominick	Fine	Givhan
Cook	Dozier	Foshee	Hammond

Harris	Malone	Register	Weaver	
Horne	Noonan	Shelby	Wilder	
Lybrand	O'Bannon	Vacca	Wilson	
McLain	Owen			—25
<i>Nays:</i>				—0

And said Bill, H. B. 2308, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Littleton			—25
<i>Nays:</i>				—0

The Bill:

H. 45. To amend Title 2, Section 660, Code of Alabama 1940, as last amended, to increase the number of farmer members on the State Soil and Water Conservation Committee from 3 to 6 and to provide that no more than 1 farmer member may be appointed from each of the six U. S. Department of Agriculture soil conservation areas of the state. was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following substitute for the Bill, H. B. 45, to-wit:

SUBSTITUTE FOR H. B. 45

A BILL TO BE ENTITLED AN ACT

To amend further Title 2, Section 660, Code of Alabama, 1940, as last amended, to increase the number of appointive members on the State Soil and Water Conservation Committee from three appointive members to six such members who are soil and water conservation district supervisors, and to provide that no more than one supervisor member may be appointed from each of the six geographical areas of soil and water conservation districts, as created under Section 661, Title 2 of the Code of Alabama, 1940; and to provide for the maximum annual compensation of the administrative officer of the state soil and water conservation committee.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 2, Section 660, Code of Alabama 1940, as last amended by Act No. 220, H. 128, approved May 15, 1969, Legislature of 1969, Special Session, is hereby further amended so as to read as follows:

"Section 660. There is hereby established, to serve as an agency of the state and to perform the functions conferred upon it in this chapter, the state soil and water conservation committee. This com-

mittee shall consist of nine persons, namely: The director of the state cooperative agricultural extension service; the director of the state agricultural experiment station; the supervisor of vocational agricultural education, and six members who are soil and water conservation district supervisors to be appointed by the Governor, one such appointive member from each of the six major geographical areas of the state as such areas are designated on the date of the passage and approval of this Act by the State Association of Soil and Water Conservation District Supervisors. The appointive members of the committee shall hold office for a term of three years and until their successors are appointed. Such members shall be appointed by the Governor from a list containing the names of not less than three soil and water conservation district supervisors as nominated by their respective areas and submitted to the Governor through the state soil and water conservation committee. From this list so submitted, the Governor shall appoint one member of the committee from each of the six aforesaid areas. The appointed soil and water conservation district supervisors now serving on the committee shall continue to serve, representing their area, until the expiration of their present terms of appointment and until their successors are appointed. The additional three appointive supervisor members shall serve for the following terms: One shall serve for a term of one year; one for a term of two years; and one for a term of three years; and thereafter such appointive members shall serve for terms of three years. Any vacancy among appointive members shall be filled for the unexpired term in the same manner as original appointments are made hereunder. Successor appointive supervisor members, at the expiration of their term of appointment, shall be appointed by the Governor in the manner as hereinabove provided. It is hereby intended that of the six appointive soil and water conservation district supervisors from the six areas serving on the state soil and water conservation committee, two such member terms shall expire at the end of each year. The committee shall keep a record of its official actions, shall adopt a seal which seal shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter. The state soil and water conservation committee may employ an administrative officer and such other agents and employees, permanent and temporary, as it may require and shall determine their qualifications, duties, and compensation. The compensation of the administrative officer shall be fixed by the committee without reference to the pay plan of the state personnel department or limitations otherwise prescribed by law and shall not exceed \$18,500 per annum. The committee may call upon the attorney general of the state for such legal services as it may require, or may employ its own counsel and legal staff. It shall have authority to delegate to its chairman, to one or more of its members, or to one or more agents or employees, such powers and duties as it may deem proper. It shall be supplied with suitable office accommodations in the City of Montgomery, and shall be furnished with the necessary supplies and equipment. The committee may request any state agency or state institution of learning to make special reports, surveys or studies for the purpose of carrying out any of the committee's functions. The supervising officer of any such agency or institution shall comply with such requests insofar as may be reasonable and consistent with the duties, available funds and personnel of the agency or institution. The committee shall designate its chairman, and may, from time to time, change such designation. Each ex officio member of the committee shall hold office so long as he shall retain the office by virtue of which he shall be serving on the committee. A majority of the committee shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. The chairman and members of the committee shall receive no compensation for their services on the committee, but shall be entitled to expenses, in-

cluding traveling expenses, necessarily incurred in the discharge of their duties on the committee. The committee shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements. In addition to the duties and powers hereinafter conferred upon the State Soil and Water Conservation Committee, it shall have the following duties and powers: (1) To offer such assistance as may be appropriate to the supervisors of soil and water conservation districts, organized as provided hereinafter, in the carrying out of any of their powers and programs. (2) To keep the supervisors of each of the several districts organized under the provisions of this chapter informed of the activities and experience of all other districts organized hereunder, and to facilitate an interchange of advice and experience between such districts and cooperation between them. (3) To coordinate the program of the several soil and water conservation districts organized hereunder so far as this may be done by advice and consultation. (4) To secure the cooperation and assistance of the United States and any of its agencies, and of agencies of this state, in the work of such districts. (5) To disseminate information throughout the state concerning the activities and programs of the soil and water conservation districts organized hereunder, and to encourage the formation of such districts in areas where their organization is desirable.

Section 2. This Act shall become effective on January 1, 1972.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Carr	Givhan	Littleton	Pierce	
Dominick	Hammond	Lybrand	Register	
Edington	Hawkins	Noonan	Shelby	
Fine	Jones	O'Bannon	Vacca	—23

Nays: —0

And said Bill, H. B. 45, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon	
Bailes	Foshee	Lindsey	Owen	
Branyon	Gilmore	Littleton	Pelham	
Carr	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Vacca	
Cooper	Hawkins	Malone	Wilder	
Dominick	Jones	Noonan	Wilson	—28
Edington				

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2243. To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; to provide a procedure for removing the limitation; and to establish the effective date of the act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1520. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), and as amended by Act No. 670, approved September 16, 1953 (General Acts of Legislature of Alabama, 1953, page 927).

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 544. Relating to cities having a population of 300,000 or more according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1272. To amend Act No. 344 of the Regular Session of the Legislature of Alabama of 1969, authorizing any city of this State having a population of 300,000 or more, according to the last or any subsequent federal census to pay hospital bills, medical expenses and other expenses incurred by employees of said city in securing treatment of injuries sustained by the employees in line of duty.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 542. To amend Section 1 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to include enforcement officers of conservation laws within the provisions of said Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Vacca	
Clark	Givhan	Lybrand	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

S. 1231. To extend the boundary lines and corporate limits of the town of Sumiton in Walker and Jefferson Counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon	
Bailes	Foshee	Littleton	Owen	
Carr	Gilmore	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 311. To amend Section 396, Title 51, Code of Alabama 1940, as amended, which relates to fiduciary returns and to remove the requirement that the returns be made under oath.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Register	
Bailes	Fine	King	Shelby	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	Lybrand	Weaver	
Cooper	Givhan	McLain	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	Hawkins	O'Bannon		—26

Nays:

—0

The Bill:

H. 312. To amend Section 406, Title 51, Code of Alabama 1940 which relates to corporation returns and the officials authorized to sign the returns; to remove the requirement that the return be sworn to by such officials.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Clark	Gilmore	Lybrand	Register	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—29

Nays:

—0

The Bill:

H. 313. To amend Section 426, Title 51, Code of Alabama 1940 relating to excise tax on financial institutions and the officials authorized to sign returns; to remove the requirement that the return be sworn to by such official.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Branyon	Foshee	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King	Owen		—30

Nays:

—0

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute to-wit:

H. J. R. 191. Relative to adjournment of the two Houses.

The Standing Committee on Rules reported the following substitute for the Resolution, to-wit:

SENATE RULES COMMITTEE**SUBSTITUTE FOR H. J. R. 191**

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn to-

day, they adjourn to meet again on Thursday, September 22, 1971, and that when they adjourn on Thursday, September 2, 1971, they adjourn without per diem pay to meet again on Tuesday, September 14, 1971, and that when they adjourn on Tuesday, September 14, 1971, they adjourn to meet again on Thursday, September 16, 1971, and that when they adjourn on Thursday, September 16, 1971, they adjourn to meet again on Wednesday, September 22, 1971.

Which was adopted.

And on motion of Mr. Clark, said Resolution H. J. R. 191, as thus amended by the substitute, was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 146. Providing for continuation of the joint committee established by H. J. R. 107, Act No. 483, approved September 6, 1957, to study the problems involved in the production and processing of cotton.

On motion of Mr. Clark, said Resolution was then concurred in and adopted by the Senate.

RESOLUTION

Mr. Littleton offered the following Senate Joint Resolution, to-wit,

S. J. R. 102. WHEREAS, The Legislature of the State of Alabama, by the passage of various acts and resolutions during the past few years has demonstrated that it is vitally concerned with the preservation of historic landmarks which portray Alabama's rich heritage; and

WHEREAS, the public interest in historic preservation has greatly increased in recent years both in Alabama and in the nation; and

WHEREAS, the Alabama Historical Commission was created by Legislative Act in 1966 to be the official state agency for historic preservation whose duties and responsibilities were expanded and strengthened by Legislative Acts in 1969 and 1971; and

WHEREAS, many of the previously created historical commissions, boards, associations and other state historical agencies, narrower in scope than the Alabama Historical Commission, may be performing fragmented, duplicated, overlapping and unnecessary services and responsibilities for the people of Alabama at undue costs to the taxpayers of our state which might be appreciably reduced by reorganization and consolidation; therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING that the Legislature establishes a Joint Interim State Historic Resources Study Committee, consisting of the Speaker of the House and the Lieutenant Governor who shall serve as ex-officio members, and the Speaker to appoint no more than five members of the House and the Lieutenant Governor shall appoint no more than four members of the Senate; such committee to elect a chairman, schedule meetings and conduct a thorough study of State of Alabama historical agencies to consider consolidation and reorganization of the same; such committee to review the annual reports and other documents relating to their purposes and goals and the appropriations and achievements of state historical agencies and prior historic and recreation studies relating to such agencies; such committee to be empowered

to summon the presence and testimony of such members, policy-makers, administrators and employees of these historical agencies as it may deem necessary; the Historic Resources Study Committee to function at no additional cost to the State of Alabama except normal legislative travel and per diem expenses for meetings; such payment to be made from the funds already appropriated for the use of the Legislature, and such committee to submit its official recommendations relating to the historical agencies of the State of Alabama at the next regular session of the Alabama Legislature.

On motion of Mr. Littleton, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 181. Changing the name of the Mobile State Junior College to the S. D. Bishop State Junior College.

On motion of Mr. Edington, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

Motion in Writing by Mr. Domnick adding new Senate Rules relative to lobbying.

The Standing Committee on Rules reported the following substitute for the Motion in Writing, to-wit:

SUBSTITUTE FOR DOMINICK RULES CHANGE

MOTION IN WRITING

Notice having been given on the last Legislative day, motion is now made to add the following new Senate Rules:

RULES RELATING TO LOBBYING

Rule 67. Those required to register. All persons, except members of the Alabama Legislature, who seek to encourage the passage, defeat or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the Legislature. This rule includes all persons representing any segment of Municipal, County, State or Federal Government, or Municipal, County, State, or Federal Government employees, and employees of newspapers, magazines, or journals, that are compensated by any person, firm, corporations, or associations other than the news media by which they are employed.

Rule 68. Method of Registration. At each Regular or Special Session of the Legislature prior to engaging in the activities described in Rule 67 above, every such person shall register on forms prepared by the Secretary and shall state under oath his name and business address,

the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

The Secretary shall publish in the Journal of each Regular and Special Session, in tabulation form, a list of those filing the registration statements under this Rule together with the information contained therein.

No registered lobbyist shall be permitted upon the floor of the Senate while it is in session.

Rule 69. Registration exception. Any person who, on an isolated basis and without intent to continue beyond a single day during a Session of the Alabama Legislature, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

Rule 70. Obligations of Lobbyist. A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

Rule 71. Rules Committee Advisory Opinions. A lobbyist when in doubt about the applicability and interpretation of this Rule in a particular context may submit in writing a statement of the facts involved to the Committee on Rules and may appear in person before said Committee.

The Committee on Rules may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

Rule 72. Compilation of Opinions; List of Lobbyists. The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules as well as a current list of registered lobbyists, which shall be open to public inspection.

Rule 73. Penalties for Violations. Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of these Rules shall be censured, reprimanded, placed on probation or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Rules. The Committee on Rules, before making said recommendation, shall conduct a

hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

Rule 74. Secretary to Provide Forms. The Secretary shall provide blank affidavits for the convenience of registrants but the burden of compliance nevertheless always shall be upon the person required to register.

Rule 75. Committees to be Diligent. Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this Rule, and to report violations. No committeeman knowingly shall permit an unregistered lobbyist to be heard.

Which was adopted.

And said Motion in Writing, adding new Senate Rules relative to lobbying, as thus amended by the substitute, was then adopted by the Senate.

On motion of Mr. Dominick, unanimous consent was granted to add the names of Messrs. Pelham, Register, Clark and Shelby as co-sponsors of said Motion in Writing.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 70. Creating a Health Study Commission.

The Standing Committee on Rules reported the following substitute for the Resolution, S. J. R. 70, to-wit:

SUBSTITUTE FOR S. J. R. 70

CREATING A HEALTH STUDY COMMISSION

WHEREAS, It is the responsibility of the State of Alabama, in the exercise of its Constitutional powers, to adopt all measures necessary to assure the availability of health care services, and

WHEREAS, There is an apparent need for innovative approaches to provide additional access to health care services, and

WHEREAS, There now appears to be an urgent need for careful study into such areas as (1) entry into the health care systems, (2) delivery of highest quality health care services, (3) adequate supply and distribution of trained manpower, (4) financing, (5) consumer health education, and (6) consumer protection against over-utilization and excessive charges, and

WHEREAS, The availability of the aforementioned health care services has been brought to the forefront in the 1971 Regular Session of the Alabama Legislature by the introduction of over two hundred health-related bills, including House Bill 841 and Senate Bill 492, which bills propose to restructure the State Board of Health, now therefore be it

RESOLVED, Both Houses concurring, that there immediately be created a Health Study Commission to make recommendations to the Legislature in such areas as (1) entry into the health care systems, (2) delivery of highest quality health care services, (3) adequate supply and distribution of trained manpower, (4) financing, (5) consumer health education, and (6) consumer protection against over-utilization and excessive charges, and be it further

RESOLVED, That the Health Study Commission also be directed to determine and make recommendations on the best composition of the State Board of Health and other health-related matters, and be it further

RESOLVED, That the Health Study Commission shall be composed of twelve qualified members as follows: five duly licensed physicians chosen by the Medical Association of the State of Alabama, one of which shall be a physician-educator; one dentist chosen by the Alabama Dental Association; one veterinarian chosen by the Alabama Veterinary Medical Association; one hospital administrator chosen by the Alabama Hospital Association; one pharmacist chosen by the Alabama Pharmaceutical Association; one member of the Health Committee of the House of Representatives chosen by the Speaker of the House; one member of the Senate Health Committee chosen by the President of the Senate; and one member of the public at large chosen by the members of the Commission, as appointed, and be it further

RESOLVED, That the Commission shall be authorized to appoint such advisory and consulting committees as it may deem necessary, and be it further

RESOLVED, That all State agencies are hereby instructed to co-operate with the said Health Study Commission in the performance of its duties and that the Commission, or its representatives, shall be empowered to utilize existing studies compiled by said State agencies, and be it finally

RESOLVED, That as a final function the Commission shall report its conclusions and recommendations to the Health Committees of the House and Senate and the Governor of Alabama not later than the third Legislative Day of the 1973 Regular Session of the Alabama Legislature.

Mr. Bailes offered the following substitute for the Rules Committee substitute for the Resolution, S. J. R. 70, to-wit:

SUBSTITUTE FOR S. J. R. 70

WHEREAS, It is the right of every citizen to have access to adequate health care, regardless of social status, area of residence, or economic position, and

WHEREAS, It is the responsibility of the State of Alabama, in the exercise of its Constitutional powers, to adopt all measures necessary to assure the availability of health care services, and

WHEREAS, There is an apparent need for innovative approaches to provide additional access to health care services, and

WHEREAS, There now appears to be an urgent need for careful study into such areas as (1) entry into the health care systems, (2) delivery of highest quality health care services, (3) adequate supply and distribution of trained manpower, (4) financing, (5) consumer health education, and (6) consumer protection against over-utilization and excessive charges, and

WHEREAS, The availability of the aforementioned health care services has now been brought to the forefront in the 1971 Regular Session of the Alabama Legislature by the introduction of over two hundred health-related bills, including House Bill 841 and Senate Bill 492, which bills propose to restructure the State Board of Health, now therefore be it

RESOLVED, Both Houses concurring, that there immediately be created a Health Study Commission to make recommendations to the Legislature in such areas as (1) entry into health care systems, (2) delivery of highest quality health care services, (3) adequate supply and distribution of trained manpower, (4) financing, (5) consumer health education, and (6) consumer protection against over-utilization and excessive charges, and be it further

RESOLVED, That the Health Study Commission also be directed to determine and make recommendations on the best composition of the State Board of Health and other health-related matters, and be it further

RESOLVED, That the Health Study Commission shall be composed of thirteen qualified members as follows: five duly licensed physicians chosen by the Medical Association of the State of Alabama, one of which shall be a physician-educator; one dentist chosen by the Alabama Dental Association; one registered professional nurse chosen by the Alabama State Nurses Association; one veterinarian chosen by the Alabama Veterinary Medical Association; one hospital administrator chosen by the Alabama Hospital Association; one pharmacist chosen by the Alabama Pharmaceutical Association; one member of the Health Committee of the House of Representatives chosen by the Speaker of the House; one member of the Senate Health Committee chosen by the President of the Senate; and one member of the public at large chosen by the members of the Commission, as appointed, and be it further

RESOLVED, That the Commission shall be authorized to appoint such advisory and consulting committees as it may deem necessary, and be it further

RESOLVED, That all State agencies are hereby instructed to cooperate with the said Health Study Commission in the performance of its duties and that the Commission, or its representatives, shall be empowered to utilize existing studies compiled by said State agencies, and be it finally

RESOLVED, That as a final function the Commission shall report its conclusions and recommendations to the Speaker of the House, President of the Senate and the Governor of the State of Alabama not later than the third Legislative Day of the 1973 Regular Session of the Alabama Legislature.

On motion of Mr. Cooper, said substitute was laid on the table.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Fine	Littleton	Owen
Branyon	Foshee	Lybrand	Pelham
Clark	Givhan	McLain	Register
Cooper	Hammond	Malone	Shelby
Dozier	Harris	Noonan	Weaver
Edington	Lindsey	O'Bannon	Wilson

—23

Nays:

Messrs.:	Cook	Hawkins	Pierce
Bailes	Dominick	Jones	Vacca
Carr	Gilmore	King	

—10

The question was then on the Rules Committee substitute for the Resolution, S. J. R. 70, which was adopted.

An on motion of Mr. Cooper, said Resolution, S. J. R. 70, as thus amended by the substitute, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1874. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2375. To prohibit cities, or any agencies thereof, having populations of not less than 33,500 nor more than 36,500 from collecting outside the corporate limits of said cities any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision relative to residential buildings or structures; to provide that building code provisions may be enforced within the police jurisdiction of said cities, but to limit the collection of all fees and charges for inspection or enforcement relative to residential buildings or structures to the area within the corporate limits of the cities.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2006. Relating to Lauderdale County, regulating and prescribing the qualifications of persons engaged in the bail bond business and in the business of providing surety bonds under Act No. 704, Section 24, H. 475 (Acts of Alabama 1951, p. 1239), and further provides for satisfaction of any final judgment on such bail bond or surety bond issued by such persons herein described.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1985. To amend Subsection L of Section 214, Title 26, Chapter 4, Code of Alabama 1940, as last amended by Act No. 88, 1971 Regular Session of the Alabama Legislature, relating to denial or reduction of unemployment compensation benefits for receipt of training allowances.

Also:

H. 82. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Also:

H. 1073. For the relief of Vera Waldrop, making an appropriation of Mental Health Department Funds from the State Treasury to compensate her for personal injuries suffered while she was engaged in the performance of assigned duties as an attendant at Partlow School of the Alabama Mental Health Department.

Also:

H. 111. To authorize county or city boards of education to grant certain leaves to teachers.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 103. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Secretary of the Senate and the Clerk of the House, the Assistant Secretary of the Senate and the Chief Clerk of the House, each be allowed an additional expense allowance of Two Hundred dollars (\$200.00) per month.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 758. To provide that any bank situated in Blount County or having a branch or authorized place of business in Blount County may,

with the approval of the Superintendent of Banks, establish, maintain and operate a branch bank in the town of Snead, Alabama, a municipality in said Blount County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1151. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so that they may promulgate rules and regulations for regulating assistants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; restricting liability and responsibility for the acts or omissions of assistants to physicians to the licensed physician or physicians responsible for the control and direction of the activities of such assistants, and providing that no other person, firm, corporation or organization shall be liable or responsible for such activities; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 262. To provide a Uniform Standards Code for the construction of Mobile Homes to be sold within this State; prescribing certain licenses and the fees therefor; providing for the administration and enforcement of the provisions of this Act; prescribing penalties for the violation of the provisions hereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2286. Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 2647. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

CONSIDERATION OF CONFERENCE REPORT ON H. B. 46

The Senate proceeded to consideration of the Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the Senate amendment to the Bill:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

which said Conference Report is set out in the Journal of the Senate for the Thirty-second Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate.

S. 5. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Also:

S. 307. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

S. 1047. To provide compensation for total disability and death due to pneumoconiosis of underground coal miners as herein defined in compliance with the mandate of the Congress of the United States as required by the provisions of Public Law 91-173 of the Ninety-first Congress and to provide for standards and presumptions for determining when and under what conditions total disability or death is due to pneumoconiosis as herein defined and to provide that any claim or action filed hereunder for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein provided of prior and successor operators as herein defined for miners employed at such mines on or after January 1, 1973

Also:

S. 401. To provide that Act No. 217 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, which relates to competitive bidding on contracts of certain public bodies, shall not be applicable to any contracts made by a municipality pursuant to the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Legislature of Alabama, as amended, which relates to the promotion of trade by inducing commercial enterprises to locate in the state and which confers on municipalities having a population not exceeding 100,000 inhabitants, according to the last or any subsequent federal census, powers with respect to the acquisition, leasing and financing of projects suitable for use by certain commercial enterprises.

Also:

S. 956. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Also:

S. 965. Relating to domestic stock insurance companies and to provide procedures for adoption and effectuation of plans of exchange of securities between domestic stock insurance companies and holding companies and between domestic stock insurance companies and subsidiaries of holding companies; to provide for approval of such plans

of exchange of securities by boards of directors and stockholders, and to require approval by the Superintendent of Insurance upon a public hearing after notice to stockholders and policyholders and to provide a procedure therefor; to provide rights and procedures for dissenting stockholders; and to set forth the effect of such plans for exchange.

Also:

S. 7. To make it unlawful for a person to own, or cause to be operated, a motor vehicle loaded with gravel or other like substance in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 208. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of certain judges, creating a Judicial Commission and defining its powers, duties and authority.

Also:

S. 234. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 29. Relating to Water Safety; changing the name of the Division of Water Safety of the Department of Conservation to "Division of Marine Police"; granting additional powers to the law enforcement personnel of said Division.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hobbie, Taylor, Jones (F), Harris and Straiton:

H. 326. To amend Section 2 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), which act creates the State Employees' Insurance Board; so as to change the composition of the board's membership.

Also:

By Mr. Waggoner:

H. 792. Relating to taxation; to amend Title 51, Section 2(m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Also:

By Messrs. Mims, Wallace, Wise, Roberts, Barkett, Warren, Bassett, Benton, Doss, Hardin, Therrell, Ellis, Brassell, Gafford, Adams, Turnham, Snell, Edwards, Casey, Agee, Hearn, Timmons, Dill, Meeks, Waggoner, Boutwell, Parker (H), Jones (E), Lyons, McCorquodale, Burgess, Stewart, Weeks, Gloor, Naramore, Williams, Hill, Flippo, Reynolds, Goodwin, Reid (R), Boles, Grey (D), Erdreich, Carnes, Wynot, Waldrop, Chesnut, May, Mathews, Cauthen, Robertson, Parker (T), Bank, Crowe, Culver, Downing, Falkenburg, Drake, Hale, King, Slate, Pruitt, Carter, Cross, Lutz, Gray (F), McCluskey, Smith (K), O'Daniel, Turner, Cottingham, McBride, St. John, Perloff, Kinsey, Stokes, Hobbie, Reed (T) and Coshatt:

H. 753. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Also:

By Mr. Hill:

H. 351. To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Also:

By Messrs. Bowers, Drake and McCorquodale:

H. 987. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Also:

By Mr. Kinsey:

H. 2138. Relating to non-resident hunting licenses; providing for reciprocity in license fees.

Also:

By Mr. Kinsey:

H. 2139. Relating to non-resident fishing licenses; providing for reciprocity in license fees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 326, 792 and 753. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 351. To the Committee on Judiciary.

H. B. 987. To the Committee on Constitution and Election.

H. B.'s 2138 and 2139. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to House Joint Resolution No. 191.

H. J. R. 191. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Thursday, September 2, 1971, and that when they adjourn on Thursday, September 2, 1971, they adjourn without per diem pay to meet again on Tuesday, September 14, 1971, and that when they adjourn on Tuesday, September 14, 1971, they adjourn to meet again on Thursday, September 16, 1971, and that when they adjourn on Thursday, September 16, 1971, they adjourn to meet again on Wednesday, September 22, 1971.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mrs. Wynot:

H. J. R. 206. To designate October 24-30 as American Education Week in Alabama.

WHEREAS, The schools represent the best efforts of the community, the state, and the nation to improve the quality of life for each individual and for all mankind, and

WHEREAS, Each citizen, in order to contribute to such efforts, must have an opportunity to learn about and understand the progress, problems, and potential of the schools; and

WHEREAS, The public schools constantly strive to bridge the gaps that threaten the unity and strength of the nation, by promoting—

Understanding of the diverse ideas that lend vigor to our democratic society;

Realization for each person of his unique worth and capabilities;

Opportunities for the development of each student's talents and character to enable him to determine his goals and to find fulfillment in reaching them;

The preservation, as a paramount priority, of an environment that enriches the life of every human being and that supports the individual in his quest for satisfaction in worthy endeavors.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That October 24-30, 1971, be designated as American Education Week in Alabama and do urge all citizens to reaffirm their commitment to examine our schools and assist them in bridging the gap between what is and what can be in the process of providing the best possible education for all.

RESOLVED FURTHER, That copies of this resolution be sent to the State Board of Education with directions to disseminate them to each school system and institution of higher learning in the State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 206, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (P):

H. 868. To provide a uniform procedure for the adoption of rules by state administrative agencies, and for the review of state agency rules and determinations.

Also:

By Mr. Cherner:

H. 731. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 868. To the Committee on Judiciary.

H. B. 731. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since my message to you on August 26, 1971, transmitting appointments on the Alabama Commission on Higher Education I have re-appointed J. Pelham Ferrell of Phenix City, Alabama, for the term expiring August 31, 1980.

As this appointment must be confirmed by your Body, I herewith transmit it to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

August 31, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Commission on Higher Education was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Reuben E. Wheelis as Director of the State Docks Department.

Respectfully,

GEORGE C. WALLACE,
Governor.

August 26, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Docks Department was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature the following Military personnel have been promoted to the rank of Brigadier General:

Lauris Davis Graves—Montgomery, Alabama

James Revis Duren, Jr.—Tuscaloosa, Alabama

James G. Hawthorne—Montgomery, Alabama

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

September 2, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the rank of Brigadier General was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 2231. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Headley, Stubbs and Owens.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Littleton, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate Amendment to the Bill, H. B. 2231, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Foshee	McLain	Pierce
Branyon	Givhan	Malone	Register
Carr	Harris	Noonan	Shelby
Clark	Horne	O'Bannon	Vacca
Cook	Jones	Owen	Wilson
Cooper	King		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Littleton, Fine and Foshee.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Therrell:

H. J. R. 201. AUTHORIZING AND REQUESTING THE STATE AUDITOR TO PERFORM THE ANNUAL AUDIT FOR THE CITY OF PRICHARD FOR THE FISCAL YEAR 10/1/70—9/30-71.

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the State Auditor is hereby authorized and requested by this Legislature to perform the annual audit for the City of Prichard for the fiscal year October 1, 1970 through September 30, 1971, and make a report of her findings according to law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 201, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 191. Relative to adjournment.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

BILL REMOVED FROM CALENDAR AND RE-REFERRED

On motion of Mr. Fine, unanimous consent was granted for the Bill, H. B. 689, to be removed from the Calendar.

Mr. Fine then moved that said Bill, H. B. 689, be re-referred to the Standing Committee on Commerce, Transportation and Common Carriers, which motion was adopted, and said Bill, H. B. 689, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Commerce, Transportation and Common Carriers.

FURTHER CONSIDERATION OF H. B. 46

The Senate proceeded to further consideration of the Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the Senate amendment to the Bill, H. B. 46.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I submit to you the following appointments on the Board of Trustees of the State Training School for Girls:

Mrs. W. H. Jessie Beavert, Birmingham, Alabama. From the Fifth Congressional District for the term expiring May 29, 1977.

Mrs. Thomas Coleman, Birmingham, Alabama. From the Sixth Congressional District for the term expiring May 29, 1977.

Mrs. Jerry Files, Carbon Hill, Alabama. From the Seventh Congressional District for the term expiring May 29, 1977.

Mrs. Grady Jacobs, Bridgeport, Alabama. From the Eighth Congressional District for the term expiring May 29, 1977.

Mrs. Frank Sanford, Jr., Birmingham, Alabama. From the Ninth Congressional District replacing Mrs. Frank Duggar for the term expiring May 29, 1973.

The above appointments are submitted for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

September 2, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of the State Training School for Girls was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the House amendment to the Senate Bill No. 681.

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Harris, Jones and Taylor.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 46

The Senate proceeded to further consideration of the Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the Senate amendment to the Bill, H. B. 46.

On motion of Mr. Clark, unanimous consent was granted for further consideration of the Bill, H. B. 46, to be postponed until the next Legislative Day.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 104. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the 33rd Legislative Day only:

Bill No.	Page
H. B. 2080	141
H. B. 2079	141
H. B. 2081	194
H. B. 2141	193
H. B. 1078	192
H. B. 99	5

Which was adopted.

SPECIAL ORDERS

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, and the President and Presiding Officer called for the first bill on special order. There being no objection, the Secretary called up the Bill:

H. 2080. Relating to ad valorem taxation; providing for the classifications of property for purposes of taxation; and fixing percentages of fair and reasonable market value of the property in the several classes at which such property shall be valued and taxes thereon assessed.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 2080, to-wit:

AMENDMENT TO H. 2080

In class IV of Section 1, delete the words twenty five percent and insert in lieu thereof the words twenty percent.

On motion of Mr. Bailes, said amendment was laid on the table.

Yeas 19; Nays 16.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Gilmore	Lybrand	Pierce
Carr	Harris	McLain	Shelby
Cook	Hawkins	Noonan	Vacca
Dominick	Jones	O'Bannon	Wilder

Nays:

Messrs.:
 Branyon
 Clark
 Cooper
 Dozier

Fine
 Foshee
 Givhan
 Hammond

Horne
 Lindsey
 Littleton
 Malone

Owen
 Register
 Weaver
 Wilson

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Mr. Fine offered the following amendment to the Bill, H. B. 2080, to-wit:

AMENDMENT TO H. B. 2080

House Bill 2080 approved by the House of Representatives on August 12, 1971, is amended as follows:

1. Section 1 is amended to read:

Section 1. All taxable property within the state shall be divided into the following categories or classes for the purposes of ad valorem taxation and shall be assessed and valued for taxation at the following percentages of the fair and reasonable market value of such property:

Class I—All real property of public utilities used in the business of the utility, 30 percent;

Class II—All real property used for commercial and industrial purposes, 25 percent;

Class III—All tangible and intangible personal property not exempt by law, 30 percent;

Class IV—All real property devoted to residential use, 25 percent;

Class V—All farm lands, including lands reserved for reforestation or for growing timber, 15 percent.

Provided, however, that in no instance shall the amount of ad valorem taxes levied against real property devoted to residential use exceed one percent of the fair and reasonable market value of such property.

2. Section 2(e) is amended to read:

(e) "farm lands" shall include all real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of, or the produce of livestock to include beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, fur bearing animals, honey bees, and fish, or for dairying and the sale of dairy products, or for the growing and the sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof.

3. Section 2(f) is amended to read:

(f) "real property used for commercial and industrial purposes" shall include real property used in the conduct of any and all business or commercial activities, ventures, or undertakings to include real property reserved for growing timber and reforestation when owned by a commercial or industrial concern and any real property not heretofore specifically categorized as real property of public utilities, real property devoted to residential use, or farm lands.

Mr. Lybrand offered the following amendment to the Fine amendment for the Bill, H. B. 2080, to-wit:

AMENDMENT TO H. B. 2080

Amend H. B. 2080 by striking the words "fifteen percent" and substituting in lieu thereof the words "twenty percent" where such words appear therein.

On motion of Mr. Fine, said amendment was laid on the table.

Yeas 20; Nays 15.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Register	
Clark	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dozier	Horne	Owen	Wilson	
Edington				—20

Nays:

Messrs.:	Dominick	Jones	O'Bannon	
Bailes	Foshee	King	Pierce	
Carr	Harris	Lybrand	Shelby	
Cook	Hawkins	McLain	Vacca	
				—15

Mr. Bailes offered the following amendment to the Fine amendment for the Bill, H. B. 2080, to-wit:

AMENDMENT TO FINE AMENDMENT H. B. 2080

Strike out the last paragraph of Section 1 beginning with the words "Provided, however".

Mr. Lindsey moved that said amendment be laid on the table, which motion was lost.

Yeas 11; Nays 23.

Yeas:

Messrs.:	Dozier	Hammond	Littleton	
Branyon	Foshee	Horne	Owen	
Cooper	Givhan	Lindsey	Weaver	
				—11

Nays:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
				—23

The question then recurred on the amendment offered by Mr. Bailes to the Fine amendment to the Bill, H. B. 2080, and said amendment was then adopted.

And the Fine amendment, as thus amended, to the Bill, H. B. 2080, was then adopted.

Yeas 26; Nays 8.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—26

Nays:

Messrs.:	Dominick	Hawkins	Lybrand
Bailes	Gilmore	King	Vacca
Cook			

—8

Mr. Lybrand moved that further consideration of the Bill, H. B. 2080, as amended, be postponed temporarily. On motion of Mr. Fine, the motion to postpone was laid on the table.

Yeas 23; Nays 12.

Yeas:

Messrs.:	Fine	Jones	Owen
Branyon	Foshee	Lindsey	Pelham
Clark	Givhan	Littleton	Register
Cooper	Hammond	Malone	Weaver
Dozier	Harris	Noonan	Wilder
Edington	Horne	O'Bannon	Wilson

—23

Nays:

Messrs.:	Dominick	King	Pierce
Bailes	Gilmore	Lybrand	Shelby
Carr	Hawkins	McLain	Vacca
Cook			

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REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. J. R. 75

S. B. 132

S. B. 505

S. B. 478

S. B. 532

S. B. 457

S. B. 534

S. B. 802

Delivered to the Governor August 26, 1971, at 10:45 A. M.

S. B. 364

S. B. 365

Delivered to the Secretary of State August 26, 1971, at 10:50 A. M.

S. J. R. 77

S. J. R. 81

S. B. 362

S. B. 213

S. B. 737

S. B. 738

S. B. 739

S. B. 740

S. B. 741

S. J. R. 83

S. J. R. 85

S. J. R. 86

Delivered to the Governor August 31, 1971, at 4:05 P. M.

MCDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 10:15 P. M., on motion of Mr. Foshee, in accordance with Joint Resolution heretofore adopted, and pending further consideration of the Bill, H. B. 2080, the Senate adjourned until Tuesday, September 14, 1971, at 12:01 A. M.

THIRTY-FOURTH LEGISLATIVE DAY

TUESDAY, SEPTEMBER 14, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend William J. Treat, Associate Minister, St. John's Episcopal Church, Montgomery Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirty-third Legislative Day was approved by the Senate.

STATEMENT BY THE PRESIDING OFFICER

The President and Presiding Officer of the Senate stated that the Senate had many very serious problems to face, with a limited amount of time left in the session to solve them; he further stated that the Senate faced the possibility of extended debate on any one of several issues. The Presiding Officer then requested the sense of the Senate as to whether or not each individual Senator is willing to face these issues squarely and promptly without abusing the privilege of debate.

Upon a call of the roll, the following Senators were recorded as voting to face the issues, as suggested by the Presiding Officer, to-wit:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Malone	Vacca
Cooper	Hawkins	Noonan	Wilder
Dozier	Jones	O'Bannon	

—30

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 84. Commending the Alabama Charioteers, a Drum and Bugle Corps of Pike County.

Also:

S. J. R. 87. Mourning the death of Fred Bateman Hover, Jr.

Also:

S. J. R. 96. Mourning the death of three coaches of Vestavia Hills.

Also:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

S. 504. To authorize the governing body of Tuscaloosa County and the governing body of any municipality in such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles and related facilities, and financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating a public transit or transportation system and related facilities, including offices for any such authority; to authorize the leasing or letting of facilities; to authorize such authority to issue bonds of indebtedness; to provide that such bonds shall be negotiable instruments; to authorize such authority to enter into contracts and to acquire and dispose of properties; to provide that such authority shall have powers, privileges and rights necessary to carry out the purposes hereof; and to provide for the dissolution of the authority and the disposition of its property.

Also:

S. 751. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

Also:

S. 752. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Also:

S. 760. Relating to counties having populations of not less than 110,000 nor more than 150,000, providing for meetings of the board of registrars in such counties.

Also:

S. 761. Relating to all counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Also:

S. 762. Relating to counties having populations of not less than 110,000 nor more than 150,000; regulating the appointment of special constables in such counties in certain cases; repealing conflicting laws.

Also:

S. 764. To apply in all those counties in Alabama having not less than 110,000 population and not more than 150,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

Also:

S. 767. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Also:

S. 768. To regulate further membership on free public library boards in all counties in this State having populations of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for increasing the size of such boards and prescribing the manner of appointment of members thereof.

Also:

S. 858. To provide that the presiding officer of the county commission of all counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census shall be officially known and designated as the Chairman of the County Commission.

Also:

S. 769. Relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties.

Also:

S. 851. To apply in all counties having populations of not less than 11,500 nor more than 12,500, providing clerk-hire allowances for certain county officers.

Also:

S. 928. To authorize and provide for the final record in civil suits at law in the Circuit Court and in any County or Inferior Court of record in all counties having a population of not less than 110,000 and not more than 150,000 inhabitants as shown by the last or any succeeding Federal census.

Also:

S. 942. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

Also:

S. 949. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

Also:

S. 950. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

Also:

S. 951. To alter or rearrange the boundary lines of the City of Cordova, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Walker County, Alabama.

Also:

S. 959. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to authorize the governing body to appropriate a sum not to exceed fifteen hundred dollars (\$1500) annually for the use of the County Cattlemen's Association in promoting their programs.

Also:

S. 961. Relating to all counties having a population of 57,000 and not more than 61,000, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Also:

S. 962. Relating to Wilcox County; authorizing additional compensation for registrars.

Also:

S. 970. To provide that the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Also:

S. 971. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy.

Also:

S. 972. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to designate an official County Historian and appropriate a small honorarium for same.

Also:

S. 978. To provide further for a governing body for Autauga County to name and designate the chairman and first members of the Autauga County Commission and to provide for the election of their successors; to define the authority, powers and duties of the commission and to prescribe the qualifications, terms and compensation of its members.

Also:

S. 1001. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

Also:

S. 1003. To amend the title and Section 1 of Act No. 1025, S. 890, Regular Session 1969 (Acts 1969, p. 1903), which Act provides further for the compensation, fees, power and duties of the judge and clerk of the Inferior Court of certain counties classified on a population basis.

Also:

S. 1004. To amend the title and Section 1 of Act No. 317, H. 716, Regular Session 1963, (Acts 1963, p. 796), as amended, which Act provides for the payment of additional expense allowances of members of the county governing body in certain counties classified on a population basis.

Also:

S. 1005. To amend the title and Section 1 of Act No. 1023, S. 878, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the compensation of deputy sheriffs in certain counties classified on a population basis.

Also:

S. 1006. To amend the title and Section 1 of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Also:

S. 1007. To amend the title and Section 1 of Act No. 168, H. 55, Regular Session 1961 (Acts 1961, p. 212), which Act provides further for the compensation of fire wardens in certain counties classified on a population basis.

Also:

S. 1008. To amend Section 1 of Act No. 140, S. 119, Special Session 1961 (Acts 1961, p. 2082), which Act provided for the closing of the offices in the courthouse on certain days in certain counties classified on a population basis.

Also:

S. 1010. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

S. 1011. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

S. 1012. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, struct-

tures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by forecloseable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Also:

S. 1014. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Also:

S. 1015. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Also:

S. 1016. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Also:

S. 1017. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

S. 1019. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

Also:

S. 1021. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Also:

S. 1022. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

S. 1023. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

S. 1024. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

S. 1025. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Also:

S. 1038. Relating to counties having not less than 16,000 nor more than 16,250 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

Also:

S. 1067. To authorize the county solicitor of all counties having a population of not less than 16,000 nor more than 16,250 according to the most recent Federal Decennial Census to employ an assistant district attorney and to authorize and regulate the payment of compensation to such an assistant from county funds.

Also:

S. 1068. Relating to Walker County; regulating costs and charges of certain courts in said county.

Also:

S. 1083. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

S. 1084. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

S. 1085. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said

directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

S. 1087. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Also:

S. 1088. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Also:

S. 1090. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Also:

S. 1094. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Also:

S. 1095. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as

to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Also:

S. 1096. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Also:

S. 1097. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Also:

S. 1098. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Also:

S. 1099. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

Also:

S. 1100. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

Also:

S. 1101. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Also:

S. 1103. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

S. 1106. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Also:

S. 1108. To apply only to counties having a population of not less than 39,500 nor more than 41,750, according to the most recent federal decennial census; awarding to certain municipalities in such counties a portion of fines and forfeitures accruing from arrests within their police jurisdiction.

Also:

S. 1113. Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Also:

S. 1115. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Also:

S. 1118. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Also:

S. 1119. To amend the title and Sections 1, 3 and 4 (b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Also:

S. 1120. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Also:

S. 1122. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Also:

S. 1130. To repeal Act No. 689, S. 429, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1283), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer."

Also:

S. 1131. To repeal Act No. 79, S. 60, approved July 9, 1962, Special Session 1962 (Acts 1962, p. 101), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Also:

S. 1132. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Also:

S. 1137. To repeal Act No. 16, H. 2, approved March 18, 1963, First Special Session 1963 (Acts 1963, p. 85), entitled "An Act To fix the compensation of deputy solicitors of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury."

Also:

S. 1138. To amend the title and Section 1 of Act No. 58, S. 121, Special Session 1964 (Acts 1964, p. 78) which authorizes the licensing and regulation of hunting on certain hunting preserves, prescribes fees for such licenses, provides for collection and distribution thereof, and prescribes penalties for violations, in certain counties classified on a population basis.

Also:

S. 1139. To amend the title and Section 1 of Act No. 1244, H. 1545, Regular Session 1969 (Acts 1969, p. 2345) which provides further for certain fees allowed to judges of probate, in certain counties classified on a population basis.

Also:

S. 1140. To repeal Act No. 63, H. 5, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 85), entitled, "An Act To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers."

Also:

S. 1141. To amend the title and Section 1 of Act No. 1235, H. 1526, Regular Session 1969 (Acts 1969, p. 2333) which fixes the compensation of the deputy district attorney and provides for payment thereof from the county treasury, in certain counties classified on a population basis.

Also:

S. 1013. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Also:

S. 758. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 215. To regulate further the excusing of persons from jury service in the Thirteenth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

S. 846. To amend the Title and Section 1 of Act No. 193, H. 444, Regular Session 1943 (Acts 1943, p. 183), which relates to Judicial Notice of Ordinance of Cities which may now or hereafter have a population of One Hundred Seventy Five thousand or more people according to the last or any succeeding federal census.

Also:

S. 1029. To further amend the title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Also:

S. 1030. To amend further Sections 3, 8, and 9 of Act No. 243 H. 278, first Special Session 1964, as amended, which establishes the pension and relief system for policemen and firemen of the City of Mobile, by changing the amounts of contributions of the members and of the City; by expanding the investment powers of the Board of Pensions and by changing the bond requirement for the Board of Pensions and its members.

Also:

S. 1150. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

Also:

S. 1152. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Also:

S. 1153. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

Also:

S. 1154. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Also:

S. 1155. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Also:

S. 1156. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Also:

S. 1157. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Also:

S. 1187. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Also:

S. 1188. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

Also:

S. 5. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Also:

S. 7. To make it unlawful for a person to own, or cause to be operated, a motor vehicle loaded with gravel or other like substance in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Also:

S. 208. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of certain judges, creating a Judicial Commission and defining its powers, duties and authority.

Also:

S. 234. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

Also:

S. 307. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

S. 401. To provide that Act No. 217 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, which relates to competitive bidding on contracts of certain public bodies, shall not be applicable to any contracts made by a municipality pursuant to the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Legislature of Alabama, as amended, which relates to the promotion of trade by inducing commercial enterprises to locate in the state and which confers on municipalities having a population not exceeding 100,000 inhabitants, according to the last or any subsequent federal census, powers with respect to the acquisition, leasing and financing of projects suitable for use by certain commercial enterprises.

Also:

S. 759. To apply in all those counties in Alabama having a population of not less than 110,000 and not more than 150,000 inhabitants, according to the latest or any subsequent Federal Decennial Census, and to provide for an appeal to the Circuit Court of such counties by any Attorney at Law convicted in any Recorder's Court, or other Municipal Court, of contempt of such Court, and to provide that no appeal bond in such cases shall be in any amount in excess of \$300.00 and to provide for the approval of any such appeal bond by any Circuit Judge, Probate Judge, or Justice of the Peace in any such county; and to provide for the suspension of any punishment meted out by any such Recorder, or other Municipal Judge, pending the outcome of such appeal and to provide for a trial by jury of such contempt charge, when any such appeal is made, and to repeal all laws or parts of laws in conflict with this act.

Also:

S. 776. Providing further for the operation of the county board of equalization of each county having a population of not less than 110,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board and providing for the employment of clerks and other employees of the board.

Also:

S. 785. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

S. 792. Relating to counties having populations of not less than 110,000 nor more than 150,000; to provide an additional alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Also:

S. 956. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Also:

S. 965. Relating to domestic stock insurance companies and to provide procedures for adoption and effectuation of plans of exchange of securities between domestic stock insurance companies and holding companies and between domestic stock insurance companies, holding companies and subsidiaries of holding companies; to provide for approval of such plans of exchange of securities by boards of directors and stockholders, and to require approval by the Superintendent of Insurance upon a public hearing after notice to stockholders and policyholders and to provide a procedure therefor; to provide rights and procedures for dissenting stockholders; and to set forth the effect of such plans for exchange.

Also:

S. 981. To amend the title and Section 1 of Act No. 43, S. 125, Regular Session 1961 (Acts 1961, p. 64) which provides for the payment of expenses of the county or deputy solicitors of certain counties classified on a population basis.

Also:

S. 982. To amend the title and Section 1 of Act No. 41, S. 123, Regular Session 1961 (Acts 1961, p. 62) which imposes additional duties upon and increases the compensation of the county solicitor of certain counties classified on a population basis.

Also:

S. 983. To amend the title and Section 1 of Act No. 45, S. 127, Regular Session 1961 (Acts 1961, p. 65) which requires the tax collector and tax assessor to act in an advisory capacity to the county board of equalization and to investigate complaints as to assessments and make reports thereon to said board and provides for additional compensation for such officers from the general fund, in certain counties classified on a population basis.

Also:

S. 984. To amend the title and Section 1 of Act No. 48, S. 130, Regular Session 1961 (Acts 1961, p. 67) which provides further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in certain counties classified on a population basis.

Also:

S. 985. To amend the title and Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175) as amended by Act No. 46, S. 116, Regular Session 1969 (Acts 1969-70, p. 335), which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties classified on a population basis.

Also:

S. 986. To repeal Act No. 64, H. 138, approved June 26, 1963, Regular Session 1963 (Acts 1963, p. 441), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census."

Also:

S. 1047. To provide compensation for total disability and death due to pneumoconiosis of underground coal miners as herein defined in compliance with the mandate of the Congress of the United States as required by the provisions of Public Law 91-173 of the Ninety-first Congress and to provide for standards and presumptions for determining when and under what conditions total disability or death is due to pneumoconiosis as herein defined and to provide that any claim or action filed hereunder for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein provided of prior and successor operators as herein defined for miners employed at such mines on or after January 1, 1973.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation & Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hobbie, et al:

H. 326. To amend Section 2 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), which act creates the State Employees' Insurance Board; so as to change the composition of the board's membership.

By Mr. May:

H. 482. To expand offerings at Jefferson Davis State Junior College to senior college status.

By Mr. Stewart:

H. 643. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bank, et al (with amendment):

H. 694. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mims, et al:

H. 753. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

By Mr. Waggoner:

H. 792. Relating to taxation; to amend Title 51, Section 2(m) of Alabama Code of 1940, as heretofore amended, so as to exempt

from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Stubbs, McCorquodale and Turner (with amendments):

H. 2797. To provide for the organization of a public corporation in the State of Alabama to be known as Alabama State Parks Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers and duties of the Authority, including the power to issue its bonds in the aggregate principal amount of \$8,000,000; to provide that the proceeds of the said bonds remaining after payment of the expenses of their issuance shall be used for capital outlay purposes in completing the state parks now under construction in the state; to authorize the issuance of refunding bonds to refund any bonds of the Authority at the time outstanding, including the expenses of the refunding and any premium that may be necessary to retire the bonds refunded; to provide for the execution of and other details relating to the bonds, including a requirement that they be sold only at public sale; to provide that the bonds and the income therefrom shall be exempt from all taxation in the state, that the bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and shall be legal for the investment of fiduciary funds; to provide for the disposition of the proceeds of the sale of bonds issued hereunder; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from a special tax to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge the said proceeds for payment of the principal of and interest on its bonds; to provide that the principal of and interest on the bonds of the Authority shall be payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide for the dissolution of the Authority when it does not have any bonds outstanding; and to provide that the several provisions of this act shall be severable.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Crawford:

H. 1024. To provide for the issuance of special license tags to members of the Alabama Jaycees.

By Messrs. Stubbs and Headley:

H. 1788. To enlarge the powers, authority and jurisdiction of the Alabama Public Service Commission, so as to authorize said Commission to issue certificates of public convenience and necessity to radio utility corporations, companies, or persons, firms or associations owning, leasing, managing or operating a radio utility system as defined in the Act; to provide the procedure therefor; to prescribe penalties for violations; to provide an effective date; to repeal conflicting laws; and for other purposes.

By Messrs. Stubbs, McCorquodale and Turner:

H. 2796. To further provide for and raise revenue for the State of Alabama; to levy an additional privilege or license tax on instruments conveying real or personal property as a prerequisite for the filing of record of such instruments; and to provide for the disposition of the tax herein levied.

By Mr. Drake, et al:

H. 2823. To prohibit the denial of admission of any child to any public school in this State under certain conditions.

By Mr. Pruitt, et al:

H. 2367. To amend further Section 89 of Title 36, Code of Alabama (1940), as last amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

By Mr. Adwell:

H. 1886. To require that all candidates be legally qualified to hold office, to impose limitations on the adoption of a political loyalty oath as a prerequisite for qualification as a candidate for nomination; and to amend Title 17, Section 34b, Code of Alabama, as amended:

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dill, Parker (H) and Timmons:

H. 1152. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the State having a population of 300,000, or more, according to the last or any subsequent Federal census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for such governing body to elect members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease such facilities to others; to grant the Authority other powers incidental to the powers above enumerated, including the power of eminent domain; to authorize the city to aid the Authority in planning, constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in an indenture by the Authority and a trustee, or by resolution providing for the issuance of the bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county wherein the Authority is situated; to provide that bonds or other debts of the Authority shall not constitute a debt of the State or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds; to exempt the Authority and its property from all taxation, including license, privilege

and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this State to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg, et al:

H. 73. To amend Act No. 526, S. 352 of the 1963 Regular Session (Acts of 1963, Volume 2, p. 1136), which provides for and regulates the appointment of counsel for indigent defendants at the expense of the state in certain cases, so as to provide for counsel in certain additional cases, to regulate further the fees and compensation of counsel appointed hereunder and to provide further for annual appropriations to carry out the purposes of the Act.

By Mr. Falkenburg, et al:

H. 74. To amend Act No. 60, H. 218, Second Special Session 1965, which levies and provides for the collection of the "fair trial tax" upon criminal and quasi criminal cases: Amending the title, and Sections 1, 2, 3, 4 and 6, so as to make the tax applicable to suits at law and in equity, prescribe certain duties for registers of equity courts relative to the tax, to regulate further cases which are excepted from the operation of the act; to authorize and regulate payment to those counties which maintain public defenders offices of a part of the expense thereof out of the process of the fair trial tax, and to provide that the unexpended balance in the fair trial tax fund shall not be paid into the state general fund but shall be retained in the fair trial tax fund and thereafter used for fees of appointed counsel and aid to the counties in maintaining public defender's offices.

By Messrs. Hardin, Edwards and Bassett:

H. 186. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the Jury by consent in felony cases in such circuit.

By Mr. Hill, et al:

H. 342. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

By Mr. Hill:

H. 351. To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

By Mr. Taylor, et al:

H. 435. To amend Code of Alabama 1940, Title 17, Section 154 which prescribes the composition of the ballot, by listing the order in which the candidates are shown.

By Messrs. Barkett and Lyons:

H. 472. To amend Sections 8, 14, 26 and 36(1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

By Mr. Hearn, et al:

H. 811. To create the offense of false impersonation of law enforcement officers and to provide punishment for the same.

By Mr. Smith (P):

H. 868. To provide a uniform procedure for the adoption of rules by state administrative agencies, and for the review of state agency rules and determinations.

By Messrs. St. John and Merrill:

H. 1873. To establish a Study Commission on Alabama's Judicial System; to prescribe its powers, functions, purposes and duties; to provide for the membership and officers of said Commission; to authorize such Commission to conduct studies and make recommendations pertaining to the judicial system and the administration of justice in Alabama.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reed (T):

H. 1267. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to extend the juvenile jurisdiction of probate courts or any court authorized by law to exercise such juvenile jurisdiction to children under eighteen years of age.

By Mr. Roberts, et al:

H. 1276. To provide for fixing the compensation and payment of Court Reporters for the Sixth Judicial Circuit of Alabama.

By Messrs. Bank and Culver:

H. 1881. To repeal Act No. 22, H. 216, Special Session 1966 (Acts 1966, p. 44), which act removes all counties having populations of not

less than 100,000 nor more than 115,000 from the operation of Act No. 476 of the Regular Session of 1965, approved August 20, 1965.

By Mr. Callahan, et al:

H. 2204. To provide that personnel employed by municipal governments located in counties having a population of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent federal decennial census, may not be discharged by said municipal governments for failure to live within the boundaires of the municipal government, when the boundaries of said municipality have been altered, rearranged or changed so as to exclude the place of residence of any of said personnel.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 2397. To levy in Choctaw County a privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Choctaw County, from depths below 6,000 feet, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

By Mr. Drake (with notice and proof):

H. 2467. To establish a Civil Service System for the City of Cullman; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Slate and Cauthen (with amendment):

H. 2350. To apply only in counties having populations of not less than 75,000 nor more than 90,000; providing an expense allowance for the chairman or president and members of the county commission, or other like governing body of the county.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (K):

H. 2494. To provide further for the salary of any deputy clerk and register located in a city other than the county seat in counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census.

By Mr. Turnham:

H. 2567. To amend the title and Section 1 of Act No. 490, S. 636, Regular Session 1969 (Acts 1969, p. 950), which provides that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed in certain counties classified on a population basis.

By Messrs. Hill and Flippo:

H. 2612. Relating to all cities having populations of not less than 33,500 nor more than 36,000 inhabitants according to the last or any subsequent federal decennial census; to declare the public policy of such cities in regard to the extension of the zoning authority of such cities by this Act; and to extend, alter, and rearrange certain of the boundaries of the zoning authority of any such cities so as to include within that authority a certain designated area.

By Messrs. Hill and Flippo:

H. 2621. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to provide for the temporary release, at the court's discretion, of certain prisoners in said counties for the purpose of obtaining and working at gainful employment.

By Mr. King, et al:

H. 2624. Relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and

emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under the contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith.

By Mr. Wood, et al:

H. 2664. Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for the fixing of supplementary compensation or salary of the official Court Reporters, the Register, the Deputy Register of the Circuit Courts, the Chief Clerk of the Recording Division of the Probate Court, and the Clerk of the Court of General Sessions in any such counties coming under the provisions of this Act, and providing for payment thereof.

By Messrs. Culver, Parker (T), Robertson and Bank:

H. 2707. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

By Messrs. Manley and Pruitt:

H. 2760. To provide that any incorporated municipality in counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census, shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

By Mr. King, et al:

H. 2767. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens compensation benefits for all employees of such counties.

By Mr. Hearn, et al:

H. 2768. To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

By Mr. Grainger, et al (with notice and proof):

H. 2774. To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed two (\$2.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

By Messrs. Cauthen and Slate:

H. 2775. Relating to cities having a population of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census; providing for the planning, design, location, financing, acquisition of property for construction, alteration, enlargement, use, maintenance, and fostering of off-street automobile parking facilities in such cities.

By Messrs. Slate and Cauthen:

H. 2776. Relating to counties having populations of not less than 75,000 nor more than 80,000, according to the most recent federal decennial census; to provide an expense allowance for the judge of the county court; to repeal conflicting laws.

By Messrs. Slate and Cauthen:

H. 2777. Relating to counties having populations of not less than 75,000 nor more than 80,000, according to the most recent federal decennial census; to provide an expense allowance for the court reporter of the county court; to repeal conflicting laws.

By Messrs. Slate and Cauthen:

H. 2778. Relating to counties having populations of not less than 75,000 nor more than 80,000, according to the most recent Federal decennial census; to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws.

By Messrs. Slate and Cauthen (with notice and proof):

H. 2779. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur in Morgan County.

By Messrs. Agee and McCorquodale:

H. 2783. Relating to counties having a population of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census; regulating the keeping of records in the Circuit Court of such counties; eliminating the recording of certain documents in what is commonly designated "final record books", and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safekeeping of such final records.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. St. John, McDonald and Drake (with amendment):

H. 2786. Relating to counties having populations of not less than 50,000 nor more than 52,000; levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Kinsey and Benton:

H. 2798. To provide courts in each county of the state having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said courts; providing for its officers, and their appointment; elections; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court to said court hereby established; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before said court.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Barkett (with substitute):

H. 2800. Relating to counties having populations of not less than 52,500 nor more than 54,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Baker (with notice and proof):

H. 2801. To alter or rearrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands herein-after described.

By Mr. Wood (with notice and proof):

H. 2802. To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporation limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

By Mr. Fite:

H. 2803. To regulate further the excusing of persons from jury service in the Twenty-fifth Judicial Circuit; to authorize requiring

persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

By Messrs. Hill and Flipppo:

H. 2804. To alter, rearrange and extend the boundary lines and corporate limits of any city in the State of Alabama having a population of not less than 33,500 nor more than 36,500, according to the 1970 federal decennial census.

By Mr. Owens (with notice and proof):

H. 2807. Relating to Hale County; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

By Mr. Owens:

H. 2808. To repeal Act No. 215, H. 284, approved August 4, 1961, Regular Session 1961 (Acts 1961, p. 243), entitled "An Act To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 14,300 nor more than 14,800 according to the last or any subsequent federal decennial census."

By Mr. Owens:

H. 2809. To repeal Act No. 145, H. 181, as last amended, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 194), entitled, "An Act providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600."

By Messrs. Slate and Cauthen (with notice and proof):

H. 2811. Relating to the organization, jurisdiction and functions of certain Courts of Morgan County; revising the interior court system of said county; establishing "The Morgan County Court", defining its jurisdiction and powers, providing for its officers, their election; terms of office, powers, duties, and compensation, and for costs and fees in such court, abolishing "The Morgan County Court of Morgan County, Alabama" under the special laws creating it, providing for the transfer of all cases pending in said court to "The Morgan County Court", and providing for juvenile detention facilities in Morgan County, and juvenile probation officers and officers of the court.

By Messrs. Cauthen and Slate:

H. 2812. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Eighth Judicial Circuit of Alabama.

By Messrs. Slate and Cauthen (with notice and proof):

H. 2813. To amend the title and body of Act No. 165, H-554, Regular Session 1945, (Acts 1945, Page 82), providing for the creation of a

Hospital Board of Morgan County, Alabama, to manage and control the hospital and hospital properties to be acquired by Morgan County, Alabama, and the City of Decatur, Alabama, and to provide for the membership of said board and its power, duty and authority, and the power and authority of the City of Decatur and Morgan County with reference thereto; to declare that said board is created for the purpose of continuing the operation of a hospital formerly known as Benevolent Society Hospital and is entitled to the benefits of all devises and bequests made for the benefit of said hospital, particularly the bequest made in the will of W. R. Spight, deceased, and the bequest made in the will of Mary D. Simpson, deceased, and to require the trustees of the funds so bequeathed to account to said board for the same, and to further provide for additional physician members on said Board, their mode of selection, their powers and term of office.

By Mr. Grey (D) (with notice and proof):

H. 2814. To alter, rearrange and extend the corporate limits of the Town of Vernon, Lamar County, Alabama.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cross and Carter (with notice and proof) (with substitute):

H. 2815. To change the method of compensating the judge of probate, the tax assessor, the tax collector, the circuit clerk and register in chancery of Lawrence County; fixing the salaries of such officers and providing for the clerical assistance, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cross and Carter (with notice and proof):

H. 2816. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Lawrence County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Turnham:

H. 2817. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Lee County for improving enforcement of laws relative to and providing facilities for juveniles.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Stubbs (with notice and proof):

H. 2819. To authorize the Shelby County Governing Body to appropriate an allowance for expenses for the Shelby County Coroner.

By Mr. Coshatt (with notice and proof):

H. 2822. Relating to St. Clair County, authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

By Messrs. Jackson and Wise (with notice and proof):

H. 2826. To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act to abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office, to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, by providing in Section 5 thereof that the President of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a Member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

By Messrs. Merrill, Stewart and Burgess:

H. 2829. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of

spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act.

By Messrs. Naramore and Crowe:

H. 2830. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

By Messrs. Culver, Parker (T), Robertson and Bank:

H. 2831. To amend Section 1 of Act No. 332, H. 688, Regular Session 1969 (Acts 1969, p. 706) which act provides for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

By Messrs. Flippo and Hill:

H. 2836. Relating to counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census; dividing all such counties which have heretofore been divided into four commissioners' districts into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district; and fixing their qualifications and term of office.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stewart, et al:

H. 642. Proposing an amendment to the Constitution relating to the Legislative Department.

The above Bill was read a second time at length as required by the Constitution.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Culver, et al:

H. 748. Further amending Code of Alabama 1940, Title 46, Section 297 (22p); relating to the practice of podiatry; bringing the definition of "surgical treatment" more in line with the functions and treatments that a podiatrist is qualified to perform, in respect to the training and educational requirements set out by the existing law.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Naramore:

H. 1155. To amend Act No. 473, Section 11(a), 1969 Acts of Alabama, page 927, so as to exclude Forestry Commission vehicles from the provisions of Act No. 473.

By Mr. Jones (F):

H. 174. To provide for the issuance of a permanent combined hunting and fishing license for any resident of this state who is at least sixty-five years of age; prescribing fees for such licenses and for issuance; providing for the use of revenue from the sale of such licenses; repealing conflicting laws and specifically repealing Act. No. 546, S. 537, Regular Session 1965, and the conflicting provisions of Section 38, Title 8, Code of Alabama 1940, as amended.

By Mr. Kinsey:

H. 2138. Relating to non-resident hunting licenses; providing for reciprocity in license fees.

By Mr. Kinsey:

H. 2139. Relating to non-resident fishing licenses; providing for reciprocity in license fees.

By Mr. Hardin:

H. 1048. To provide for the appointment of volunteer forest fire wardens by the State Forester of the Alabama Forestry Commission; to set forth the duties of such wardens and to provide for the issuance of equipment to them and the compensation to be received by such wardens.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Ellis, Owens and Cauthen (with amendment):

H. 90. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 1081. To amend Title 51, section 787 (e), as amended, Code of Alabama 1940, so as to make the sale of building materials, fixtures, or other equipment to a manufacturer or builder of modular buildings for use in manufacturing, building or equipping a modular building ultimately becoming a part of real estate situated in Alabama a sale at retail.

By Mr. Fite:

H. 1082. To further amend section 1 (j), Act No. 100, Second Special Session, Legislature of 1959, as amended by Act No. 577, Acts of Alabama 1965, and Act No. 692, Acts of Alabama 1965, so as to make the sale of building materials, fixtures or other equipment to a manufacturer or builder of modular buildings for use in manufacturing, building or equipping a modular building ultimately becoming a part of real estate situated in Alabama a sale at retail.

By Mr. Burgess:

H. 2490. To provide that all contracts of insurance or policies of insurance providing payment for health services issued or delivered in this State shall offer provisions to cover and include the services of chiropractors.

By Messrs. Collins and Lyons:

H. 2570. To raise revenue; to levy a privilege or license tax against every person engaging in the business of operating a coal mine; to prescribe the rate thereof and exclusions therefrom; to provide for issuance of an operator's license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCluskey (with notice and proof):

H. 2713. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cauthen:

H. 2658. Relating to the State sales tax: To amend Section 34 of Act No. 100 of the Second Extraordinary Session of the Legislature of Alabama 1959, so as to limit the allowance of the discount for collection thereof and provide for the use of revenue accruing to the State by reason of such reduction.

By Mr. Cauthen:

H. 2661. Relating to the State use tax: To amend further Code of Alabama 1940, Title 51, Section 801, as amended, so as to limit the amount of discount allowed the seller or vendor for collecting and remitting the tax and to provide for the use of the revenues accruing to the State by reason of this limitation on the discount.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. St. John, et al (with substitute):

H. 990. To amend Section 618 of Title 51 of the Code of Alabama of 1940, as amended by Act No. 769 adopted at the 1953 Regular Session of the Legislature, approved September 17, 1953, so as to increase the license tax imposed on instruments conveying real or personal property, and to provide for the disposition of the proceeds resulting from said increase.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Snell:

H. 2780. To amend Sections 1 and 2 of Act No. 308, Regular Session of the Legislature of Alabama of 1963, relating to the imposition of a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts so as to increase the rate of taxation and to make further provisions for the disposition of revenues thereof.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al (with substitute) (with amendment):

H. 1802. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al:

H. 1803. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al (with substitute):

H. 1804. To make appropriations from the State Treasury for capital improvements.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. St. John, et al:

H. 627. To provide tuition grants to resident students of the State of Alabama who are attending private accredited colleges or universities in Alabama.

By Messrs. Turnham and Wynot:

H. 101. To provide a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama.

By Mr. Edington:

S. 181. To amend Section 374 of Title 51 of the Code of Alabama, (1940), as amended, so as to exempt from income tax the retirement benefits or allowances paid to persons honorably discharged from the armed forces of the United States.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Taylor, et al:

H. 1786. To define a political party of the state or county, and to amend Section 337, and Section 412, Title 17, Code of Alabama, 1940, as amended, by changing the percentage of votes authorizing a primary from 20% to 10%.

By Mr. Snell:

H. 2464. Relating to taxation; to amend Title 51, Code of Alabama 1940, as heretofore amended, so as to exempt from ad valorem taxation certain raw materials used in manufacture of textile products.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Smith (P):

H. 182. To repeal Act No. 450, H. 1055, approved August 19, 1969 entitled "An Act Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the board of commissioners of such cities.", (Acts 1969, Vol. I, p. 892).

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stokes, et al (with substitute):

H. 821. To provide that the Governing Body of any City or Town in the State of Alabama having a population, according to the last or any future Federal census, in excess of 175,000 inhabitants and less than 300,000 inhabitants may, by resolution or ordinance, provide that such Governing body shall have the exclusive authority to hire, demote,

suspend or discharge the Chief of Police of such City or Town and to fix his compensation (not to exceed a sum prescribed herein) and his working conditions and to provide that the Personnel Director and Personnel Board and any other officials of any countywide Civil Service System in any such county shall have no right, powers, or duties with reference to the matters covered by such resolution or ordinance; to provide that any such Governing Body may, by resolution or ordinance, confer upon the Chief of Police of such City or Town authority to suspend peremptorily for a limited period and for cause any of the employees of the Police Department of such City or Town without compensation and to provide for the procedure for such suspension and that no such suspension can be contested or modified, and that the right of such suspension cannot be set aside or suspended by any such Personnel Director or Personnel Board; to provide that any such Governing Body may, by resolution or ordinance, provide that the Chief of Police of such City or Town may for prescribed causes otherwise suspend, demote or discharge any employee of the Police Department of any such City or Town, and to provide for the procedure in such cases and for the effect of such orders and appeals therefrom to such Personnel Board; to provide for appeals from any orders of any Personnel Director or Personnel Board to the Circuit Court of such County and for the procedure on such appeals, and the effect of such action of such Chief of Police and of such Personnel Director and Personnel Board to be given by the said court on such appeal, and the power of the court to vacate, modify or affirm the same; to provide for the repeal of any such resolution or ordinance and the reinstatement thereof; to define the scope and extent and powers, duties and authority of the Governing Body of any such City or Town and of the Chief of Police thereof and of any such Personnel Director and Personnel Board with reference to the demotion, suspension or discharge of any personnel of any such Police Department; to repeal all laws or parts of laws inconsistent with the provisions hereof, and to provide when this Act shall become effective.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (P) (with notice and proof):

H. B. 2646. To establish a merit system for the City of Talladega; to regulate the appointment, removal, demotion, tenure and official conduct of all positions and officials of the city and of all its boards and commissions, with certain exceptions; to empower the city council to organize all functions of the city into departments; to provide that the mayor shall be personnel director of the city; to establish a citizens' merit advisory board and to provide for its duties; to require the city council to adopt rules and regulations for operation of the merit system; to forbid certain political activities by certain city employees; to provide penalties for violating the provisions of this act.

By Messrs. McDonald, St. John and Drake:

H. 2782. Authorizing the district attorney of the Twenty-seventh Judicial Circuit to appoint an assistant district attorney; to prescribe the powers, duties and compensation of such assistant; and to provide for the payments of his compensation out of the general fund of the county.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a

favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bowers and Boutwell:

H. 1074. To provide that any municipality of the state may authorize any policeman or other employee of such municipality to assist the policemen or other employees of any other municipality of the state in the performance of undercover work in such other municipality or its police jurisdiction for the purpose of enforcing the laws of the state or ordinances of such other municipality relating to the illegal possession, use, sale or disposition of narcotic drugs, marijuana or any other drug enumerated in Section 256 of Title 22, Code of Alabama of 1940, as amended or the illegal possession or sale of alcoholic or malt beverages when such aid is requested in writing on behalf of such other municipality by the Mayor, or other Chief Executive Officer thereof, and to prescribe the conditions under which such undercover work may be performed.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Drake (with amendments):

H. B. 689. RELATING TO HIGHWAYS; TO CONTROL AND REGULATE THE ERECTION AND MAINTENANCE OF OUTDOOR ADVERTISING DEVICES OR SIGNS ON LANDS ADJACENT TO THE FEDERAL-AID PRIMARY SYSTEM AND THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN ALABAMA; TO PROVIDE COMPENSATION FOR REMOVAL OR RELOCATION OF ADVERTISING DEVICES; TO DEFINE TERMS; TO ISSUE PERMITS AND COLLECT FEES THEREFORE; TO PROVIDE FOR VIOLATIONS AND PENALTIES; AUTHORIZING THE HIGHWAY DIRECTOR TO ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS ACT; TO PROVIDE HOW THIS ACT MAY BE CITED; AND TO PROVIDE A SEVERABILITY CLAUSE.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 408. To amend Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), which act regulates and licenses barbers and barber colleges in Morgan County, by prohibiting the employment of non-licensed barbers in barber shops; by exempting certain barbers from paying the license fees; and by providing a penalty for failure to renew a barber's license within a certain period; and by fixing standards of qualification for instructors in barber colleges.

Also:

S. 429. Relating to counties having populations not less than 34,000 nor more than 34,500, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Also:

S. 1174. To repeal Act No. 125, H. 319, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 401), entitled, "An Act To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws."

Also:

S. 1175. To amend the title and Section 1 of Act No. 703, H. 966, Regular Session 1965 (Acts 1965, p. 1305) which provides further for the selection of textbooks and instructional materials for use in the public schools in certain counties classified on a population basis.

Also:

S. 1176. To establish the salary of the solicitor of the Intermediate Court in counties having a population of not less than 55,500 nor more than 56,500, according to the most recent Federal decennial census.

Also:

S. 1183. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. 1, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Also:

S. 1186. Further regulating the meetings of the county board of registrars in Morgan County.

Also:

S. 1192. To amend the title and Section 1 of Act No. 37, S. 69, Special Session 1964 (Acts 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

S. 1193. To amend the title and Sections 1 and 2 of Act No. 932, H. 1346, Regular Session 1969 (Acts 1969, p. 1670) which establishes the procedure for the selection of a depository of the funds of the Board of Education and fixes the compensation for the members of the County Board of Education in certain counties classified on a population basis.

Also:

S. 1194. To amend the title and Section 1 of Act No. 213, H. 431, Regular Session 1969 (Acts 1969, p. 533) which provides for payment of in-county travel expenses for county commissioners, payable from the county treasury in certain counties classified on a population basis.

Also:

S. 1196. To repeal Act No. 641, S. 543, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1161), entitled, "An Act To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof."

Also:

S. 1197. To amend the title and Section 1 of Act No. 614, H. 1158, Regular Session 1965 (Acts 1965, p. 1128) which fixes the compensation of the clerk of the register and provide for payment thereof in certain counties classified on a population basis.

Also:

S. 1198. To amend the title and Section 1 of Act No. 38, S. 70, Special Session 1964, (Acts 1964, p. 58) which regulates the pay of election officers in certain counties classified on a population basis.

Also:

S. 1199. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, including the Chairman or Ex-Officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a population of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

Also:

S. 1201. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Also:

S. 1202. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

S. 1203. To amend the title and Section 1 of Act No. 720, H. 1235, Regular Session 1965 (Acts 1965, p. 1325) which provides an expense allowance for the superintendent of education in certain counties classified on a population basis.

Also:

S. 1204. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Also:

S. 1205. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

Also:

S. 1206. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

Also:

S. 1209. Relating to Dale County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Also:

S. 1195. To amend the title and Section 1 of Act No. 62, H. 610, Regular Session 1969 (Acts 1969, p. 354) which provides for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education in certain counties classified on a population basis.

Also:

S. 987. To amend the title and Section 1 of Act No. 121, H. 90, Special Session 1965 (Acts 1965, p. 174) which relates to closing the office of officials in the county courthouse in certain counties classified on a population basis.

Also:

S. 988. To repeal Act No. 86, S. 188, approved July 15, 1967, Regular Session 1967 (Acts 1967, p. 418), entitled, "An Act relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment."

Also:

S. 989. To amend the title and Section 1 of Act No. 88, S. 224, Regular Session 1967 (Acts 1967, p. 420) which provides clerk hire allowances for certain county officers in certain counties classified on a population basis.

Also:

S. 990. To amend the title and Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089) which provides clerical assistants and duties and compensation therefor for sheriffs in certain counties classified on a population basis.

Also:

S. 991. To amend the title and Section 1 of Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745) which provides expense allowances for certain deputy sheriffs in certain counties classified on a population basis.

Also:

S. 992. To repeal Act No. 505, H. 1105, approved August 20, 1965, Regular Session 1965 (Acts 1965, P. 745), entitled, "An Act relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

Also:

S. 993. To repeal Act No. 42, S. 124, approved June 12, 1961, Regular Session 1961 (Acts 1961, p. 63), entitled, "An Act to provide

for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 preliminary county totals for Alabama, 1960 census of population, or any subsequent federal decennial census."

Also:

S. 1028. Relating to counties with populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$1,000.00 out of the general fund for the relief of Grover Dean, Juanita Parrish Dean and Etta Dean.

Also:

S. 1045. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for library service in Morgan County.

Also:

S. 1092. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Also:

S. 1102. To amend the title and Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body in certain counties classified on a population basis.

Also:

S. 1111. Relating to all counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing for the submission to the qualified voters of such counties the question of whether or not an annual license tax and registration fee shall be levied in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of such counties and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of the county; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of the county to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration; prohibiting any motor vehicle from using the public highways of such counties until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of promoting the industrial expansion and development of the county or payment of principal or interest on any obligation or indebtedness incurred for such purpose, and repealing all laws in conflict therewith.

Also:

S. 1121. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

Also:

S. 1124. To create and provide for a county court in counties having a population of not more than 10,660, according to the most recent federal decennial census.

Also:

S. 1146. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Also:

S. 1147. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Also:

S. 1149. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Also:

S. 1158. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

Also:

S. 1162. To amend the title and Section 1 of Act No. 946, H. 1369, Regular Session 1969 (Acts 1969, p. 1680), which Act provides further for the annual salary of the chief deputy sheriff in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Also:

S. 1163. To amend the title and Section 1 of Act No. 779, H. 847, Regular Session 1969 (Acts 1969, p. 1394), which Act provides further for reimbursing the members of the county governing bodies of all counties having populations of less than 10,660, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Also:

S. 1165. To amend the title and Section 1 of Act No. 267, H. 63, Special Session 1961 (Acts 1961, p. 2283), which Act provides further for use of certain earmarked or dedicated school revenues for general

educational purposes, including payment of teachers' salaries, in counties having populations of less than 10,660; repealing conflicting laws.

Also:

S. J. R. 91. Allowing the Secretary of Senate and the Clerk of the House additional assistants to assist in checking Journals.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. McLain, further consideration of the Bills, S. B.'s 1089 and 1273, was indefinitely postponed by the Senate.

On motion of Mr. Lybrand, further consideration of the Bill, S. B. 1267, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 1250. To amend the title and Section 1 of Act No. 195, S. 424, Regular Session 1967 (Acts 1967, p. 560) which provides further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and which county is classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Carr	Fine	Lindsey	Pierce
Clark	Gilmore	Littleton	Register
Cook	Givhan	Lybrand	Vacca
Cooper	Harris	McLain	Weaver
Dominick	Hawkins	Malone	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1255. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Harris	McLain	Weaver
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1256. Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Givhan	McLain	Register
Clark	Hammond	Noonan	Shelby
Cook	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 1257. To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Four (\$4.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	King	Owen
Bailes	Givhan	Lindsey	Pierce
Branyon	Hammond	Littleton	Register
Carr	Harris	McLain	Vacca
Cook	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

S. 1258. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be deposited in the general fund of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Clark	Foshee	Littleton	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

S. 1259. To change the method of compensating the Sheriff of Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	McLain	Register
Clark	Givhan	Noonan	Shelby
Cook	Horne	O'Bannon	Vacca
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1260. Relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register
Clark	Hammond	Littleton	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

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The Bill:

S. 1262. To amend further the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49), as amended, which provides for expense for members of the boards of education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register
Bailes	Foshee	McLain	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Noonan	Weaver
Cook	Harris	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1264. Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Carr	Fine	Lindsey	Pelham
Clark	Hammond	Littleton	Pierce
Cook	Harris	McLain	Register
Cooper	Hawkins	Noonan	Shelby
Dominick	Horne	O'Bannon	Vacca
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1265. Relating to all counties having populations of not less than 41,750 nor more than 45,000; providing for compensation or salary of the register of the circuit courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Weaver
Clark	Hammond	Lybrand	Wilder
Cook	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 1266. To apply only in counties having populations of not less than 41,750 nor more than 45,000; providing an expense allowance for judges of the county court in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Clark	Foshee	McLain	Pierce	
Cook	Gilmore	Malone	Register	
Cooper	Hammond	Noonan	Shelby	
Dominick	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

S. 1268. To provide for funds for maintenance, operation and expansion of county mosquito, rodent and other vector control programs within the county health department under the direction of the county health officer in all counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, requiring financing by a one (1) mil property tax.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Pierce	
Carr	Harris	Lybrand	Weaver	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Noonan	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

S. 1269. Relating to judicial procedure in the Twenty-Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	McLain	Pierce	
Clark	Foshee	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 1270. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Ninth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Weaver	
Cook	Harris	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

S. 1271. To abolish the drawing of special venires in capital cases in the Twenty-Ninth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Malone	Wilson	
Dozier	Harris			—25

Nays: —0

The Bill:

S. 1272. To amend the title and Section 1 of Act No. 794, H. 1384, of the 1961 Regular Session, pertaining to the coroner in counties having a population of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census, so as to make the same applicable only to counties having a population of 150,000 nor more than 180,000 according to the last or any federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Gilmore	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1274. To amend Act No. 591, H. 972, 1965 Regular Session, pertaining to probate recording systems in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census, so as to make the same apply only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	McLain	Register
Clark	Givhan	Noonan	Shelby
Cook	Hammond	O'Bannon	Vacca
Dozier	Harris		

—25

Nays:

—0

The Bill:

S. 1275. To amend Act No. 323, H. 828, 1959 Regular Session, pertaining to exemption of medical research facilities from building and zoning restrictions and other regulations in counties having a population of not less than 125,000 nor more than 225,000 according to the most recent federal decennial census so as to make the same applicable only to counties having populations of not less than 150,000 and not more than 180,000 according to the last or any subsequent decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Givhan	McLain	Shelby
Carr	Harris	Noonan	Vacca
Clark	Horne	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

S. 1276. To amend the title and Section 1 of Act No. 428, H. 933, of the 1961 Regular Session, pertaining to the establishment of a personnel system in counties having a population of not less than 150,000 nor more than 300,000 and for municipalities in such counties having a population of 5,000 or more people, according to the last or any federal decennial census, so as to make the same applicable only to counties having a population of not more than 150,000 nor less than 180,000 according to the last or any federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Clark	Foshee	Lindsey	Pelham	
Cook	Gilmore	Littleton	Pierce	
Cooper	Givhan	McLain	Register	
Dominick	Hammond	Noonan	Shelby	
Dozier	Harris	O'Bannon	Vacca	
Edington	Hawkins			—25

Nays:

—0

The Bill:

S. 1277. To amend the Title and Section 1 of Act 25, H. 47, 1962 Ex. Sess., p. 36, applying to the payment of benefits when employee is disabled or killed in counties having a population of 150,000 nor more than 300,000 according to the last or the 1960 or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 1278. To amend the title and Section 1 of Act No. 416, H. 917, 1955 Regular Session, approved September 9, 1955, pertaining to employees pensions in counties having a population of not less than 125,000 nor more than 225,000 according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Pelham	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	McLain	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 1279. To amend the title and Section 1 of Act No. 321, S. 344, 1955 Regular Session, approved August 30, 1955, pertaining to pension or retiring allowance plan for employees in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 750. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the county courts of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 750, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. 750

In Section 1 strike out the words and figures: "eight thousand four hundred dollars (\$8,400.00)," and insert in lieu thereof the following: "nine thousand dollars (\$9,000.00)".

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 250. To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate non-concurred in the following House amendment to the Bill, S. B. 250, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 250

In the title of the bill, strike the period at the end and add the following:

; to provide for the payment of such employer contributions as necessary for all such personnel employed by any public school board which has heretofore provided for the participation of school bus drivers, mechanics and maintenance workers in the State Employees Retirement System, and to provide for reimbursement of all employer contributions heretofore made by any public school board for such purposes.

In Section 3 of the bill, add in a separate paragraph the following:

The payment of such employer contributions as necessary of all fully budgeted school bus drivers (excluding students), mechanics and maintenance workers now employed by any public school board which has heretofore provided for the participation of such employees in the State Employees Retirement System shall, after the effective date of this act, be made from the appropriations herein provided.

In Section 4 of the bill, add at the end of the Section the following:

Any public school board which has heretofore made employer contributions for the participation of fully budgeted school bus drivers (excluding students), mechanics and maintenance workers in the State Employees Retirement System, shall, upon application and proof satisfactory to the board of control of the Teachers Retirement System as to the amount so expended, be entitled to reimbursement therefor out of the appropriation provided herein. All such reimbursements shall be used solely for public school purposes.

And requested a Committee on Conference.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Bailes	Edington	Lybrand	Register	
Branyon	Fine	McLain	Vacca	
Carr	Foshee	Noonan	Weaver	
Clark	Givhan	O'Bannon	Wilder	
Cooper	Hammond	Owen		—22

Nay: Mr. Harris —1

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper, Lindsey and McLain.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate non-concurred in the following House amendment to the Bill, S. B. 804, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 804

Amend S. B. 804 by inserting the following Section after Section 3 and renumber the remaining sections.:

"Section 4. Provided however the provisions of this Act shall not make null and void any local Act passed prior to or after the passage of this Act, where such local Act provides greater penalties than provided in this Act."

And requested a Committee on Conference.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Edington				—28

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper, Hammond and Weaver.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 415. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for violations of rules and regulations established hereunder:

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hawkins, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 415, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. 415

The title of S. 415 is hereby amended by adding the following to the end of said title:

, exempting certain volunteer rescue squads from the provisions of this Act.

Existing Sections 6 and 7 shall be renumbered to be 7 and 8, respectively, and a new Section 6 shall be inserted as follows:

Section 6. The provisions of this Act shall not apply to volunteer rescue squads that are members of "Alabama Association of Rescue Squads, Inc." and which furnish ambulance service to the public.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	Jones	Owen
Branyon	Fine	King	Pelham
Carr	Foshee	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder

—31

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1200. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dozier, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1200, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 1200

Section 2 of S. 1200, as amended, is hereby further amended to read as follows:

Section 2. The coroner in any county in Alabama having a population of not less than 24,900 nor more than 25,150 according to the most recent decennial federal census, shall be paid a salary of four hundred dollars (\$400) a year and an expense allowance for four hundred dollars (\$400) a year, payable in equal monthly installments out of the general fund of the county on warrants drawn upon the general funds of the county in the manner prescribed by law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Register
Bailes	Fine	Lindsey	Shelby
Branyon	Foshee	Malone	Vacca
Carr	Harris	Noonan	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 137. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

And requests a Committee of Conference, and the Speaker of the House has name as a Committee of Conference on the part of the House Messrs. Perloff, Wood and Casey.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dominick, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 137, the title of which is set out in the foregoing Message from the House.

Yeas 24; Nays 5.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Register	
Cooper	Givhan	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier				—24

Nays:

Messrs.:	Harris	Pelham	Weaver	
Branyon	Horne			—5

An the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Dominick, Lybrand and Horne.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 777. Relating to counties having a population of not less than 110,000 nor more than 150,000; fixing the compensation of certain officers in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 777, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 777

Amend Senate Bill Number 777 in Section 1, sub-section (e) at the end of the second sentence following the words "paid to such officers" by changing the period to a semi-colon and adding the following:

"except that compensation payable to the Probate Judge under Act No. 556 of the 1953 Acts of Alabama in Section 10 thereof."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Foshee	Malone	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25
Nays:				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

And said bill, as thus amended by the report of the Committee on Conference, was again read at length and passed.

And said bill, together with the Report of the Committee of Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 2410. To amend the title and Section 1 of Act No. 432, H. 937, Regular Session 1961 (Acts 1961, p. 469) as last amended, which regulates the office of sheriff; authorizes the sheriff to employ certain personnel; provides for the payment of compensation to the sheriff and the employees of his office; provides for the deposit of all collections by that office; establishes certain exemptions for the sheriff; and designates certain duties to be performed by the sheriff's office in certain counties classified on a population basis.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Taylor, Harris and Jones (F).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate Amendment to the Bill, H. B. 2410, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Clark	Givhan	Lybrand	Pierce	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Jones, Pierce and Wilder.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning Senate Bill Number 478, with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

Done this 2d day of September, 1971.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 478, without my approval and with a suggested Executive Amendment.

It is suggested that subsection (i) of Section 5 of Senate Bill 478 be amended to read as follows:

"The standardization of hours of work, attendance and leave, regulations, working conditions, and the development of employee morale, welfare and training. Provided, that no rule or regulation shall prohibit or prevent any employee from working over-time should it be necessary in the public interest in the opinion of the officer in whom the power to make appointments is vested by law; however, any employee who works overtime shall be compensated therefor only by overtime pay for any overtime work performed over forty (40) hours per week, holidays or beyond the normal tour of duty."

The adoption of the above suggested amendment will remove my objection to the Bill.

Respectfully submitted,

GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 478. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 180,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

which said Executive amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 478, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	Lindsey	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 727, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill Number 727, with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

Done this 2d day of September, 1971.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated House Bill Number 727, without my approval and with a suggested Executive Amendment.

It is suggested that Section 1. (Section 5.) of House Bill Number 727 be amended to read as follows:

"The original pleadings in civil suits, at law or in equity, the original process issued thereon, all affidavits and bonds taken in the court thereof, may be used and, if so used, shall stand as the final record therein. If said original pleading, or process, or affidavit, or bond, should be lost, a copy of such shall stand in the place, and have the force and effect of the original".

The adoption of the above suggested Amendment will remove my objection to the Bill.

Respectfully submitted,

GEORGE C. WALLACE,
Governor of Alabama.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 727, by a vote of Yeas 93, Nays 0, which was a majority of the whole number elected to the House and said bill:

H. 727. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial of cause.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas, 93, Nays 0, which was a majority of the whole number elected to the House.

And said bill H. 727, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Edington, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 727, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Owen
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Pierce
Carr	Foshee	Lindsey	Register
Clark	Gilmore	Littleton	Shelby
Cook	Givhan	Noonan	Vacca
Cooper	Hammond	O'Bannon	Wilder
Dominick	Harris		

—29

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 727, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Owen
Bailes	Edington	Jones	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	Noonan	Vacca
Cooper	Hammond	O'Bannon	Wilder
Dominick	Harris		

—29

Nays:

—0

Which was a majority of the whole number elected to the Senate.

FURTHER CONSIDERATION OF
CONFERENCE REPORT

The Senate proceeded to further consideration of the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit

the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

Said Conference Report being set out at length in a Message from the House in the Senate Journal for the Thirty-second Legislative Day.

On motion of Mr. Harris, the Senate concurred in and adopted said Conference Report.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Givhan	Littleton	Owen
Bailes	Hammond	Lybrand	Pelham
Branyon	Harris	McLain	Register
Clark	Hawkins	Malone	Shelby
Cooper	Horne	Noonan	Vacca
Foshee	King	O'Bannon	Wilder
Gilmore	Lindsey		

—25

Nays:

Messrs.:	Edington	Jones	Weaver
Carr	Fine	Pierce	

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NOTICE IN WRITING

Mr. Dominick offered the following Notice in Writing, to-wit:

"Notice is hereby given that on the next legislative day a motion will be made to give second reading to H. B. 1, relating to redistricting of Congressional Districts.

"Dominick"

Which was read and ordered spread upon the Journal.

NOTICE IN WRITING

Mr. Dominick offered the following Notice in Writing, to-wit:

"Notice is hereby given that on the next legislative day a motion will be made to give second reading to H. 1980 and 1981, relating to reapportionment of the Legislature.

"Dominick"

Which was read and ordered spread upon the Journal.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 105. RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing

on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

1. H. B. 2317 on page 167—fee for inspection marker
2. H. B. 2062 on page 131—Motor fuel tax
3. H. B. 50 on page 3— Highway Bond issue

Mr. Bailes offered the following amendment to the Resolution, to-wit:

Amend S. R. 105 by striking therefrom

3. H. B. 50 on page 3

RECESS

At 8:45 A. M., Mr. O'Bannon moved that the Senate take a recess until 11 o'clock A. M.

The President and Presiding Officer of the Senate stated that there was a need for a committee to meet during the proposed recess to reconcile the differences within the Senate on the highway bond issue and the revenue measures contained in the pending special order, S. R. 105, and he then appointed Messrs. Pierce, Pelham, Fine, O'Bannon and Bailes to said Committee.

The question recurred on the motion of Mr. O'Bannon, which was adopted, and at 8:50 A. M., pending further consideration of the resolution, S. R. 105, the Senate took a recess until 11 o'clock A. M.

AFTERNOON SESSION

THIRTY-FOURTH LEGISLATIVE DAY

Tuesday, September 14, 1971

The Senate re-assembled in the Senate Chamber, Lieutenant Governor Beasley presiding.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Domnick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 151. Praising Lawrence Falk who is departing from United Press International Alabama Bureau and Newsprobe 1971.

Also:

H. J. R. 172. Wishing Governor Wallace the happiest of birthdays and extending best wishes for many more.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1638. Relating to Cullman County; providing an additional expense allowance to the judge of the inferior court or intermediate court.

Also:

H. 1639. To authorize the city of Cullman to establish, maintain and operate a non-profit ambulance service.

Also:

H. 1640. Providing for the salary of the Register in Chancery in Cullman County.

Also:

H. 1642. Relating to Cullman County; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund.

Also:

H. 1643. Relating to Cullman County; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Also:

H. 1644. Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of roads and bridges in Cullman County.

Also:

H. 1647. To provide an expense allowance for the deputy or county district attorney in Cullman County.

Also:

H. 1650. Providing a clerk hire allowance for the county or deputy district attorney of Cullman County.

Also:

H. 1652. To provide additional clerks for the tax assessor and the tax collector in Cullman County.

Also:

H. 1653. Providing an additional expense allowance to the circuit clerk of Cullman County.

Also:

H. 1654. Relating to Cullman County; providing clerk-hire allowances for certain county officers.

Also:

H. 1656. To amend Code of Alabama, Title 15, Section 201, to regulate further the bail bond business, so as to provide an exception for Cullman County.

Also:

H. 1657. Providing a clerk hire allowance to the Register in Chancery of Cullman County.

Also:

H. 1658. Relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court.

Also:

H. 1660. To provide expense allowances for tax assessors and tax collectors in Cullman County.

Also:

H. 1662. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in Cullman County.

Also:

H. 1663. Relating to Cullman County; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Also:

H. 1664. To provide an allowance for expenses to the district attorney of judicial circuits composed of Cullman County.

Also:

H. 1666. Regulating further the office of district attorney in Cullman County; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Also:

H. 1667. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Also:

H. 1668. Relating to providing expense allowances for the chairman and members of the court of county commissioners of Cullman County.

Also:

H. 1669. Providing an expense allowance for the coroner in Cullman County.

Also:

H. 1670. Relating to Cullman County; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county.

Also:

H. 1676. To repeal Act No. 18, H. 91, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 24) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers."

Also:

H. 1677. To repeal Act No. 19, H. 99, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Also:

H. 1678. To repeal Act No. 190, S. 66, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 253) entitled, "An Act to authorize all cities having populations of not less than 10,800 nor more than 11,400 according to the most recent federal decennial census to establish, maintain and operate a non-profit ambulance service."

Also:

H. 1679. To repeal Act No. 916, S. 6, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act To provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 42,000 nor more than 46,000 according to the most recent federal census, making the Act retroactive."

Also:

H. 1680. To repeal Act No. 917, S. 7, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act to apply in all counties having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid."

Also:

H. 1681. To repeal Act No. 919, S. 9, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1480) entitled, "An Act To apply

in all counties having a populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation."

Also:

H. 1682. To repeal Act No. 15, H. 77, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Also:

H. 1683. To repeal Act No. 16, H. 78, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties."

Also:

H. 1684. To repeal Act No. 17, H. 79, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census."

Also:

H. 1740. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; regulating further the sale of alcoholic beverages in such counties; and prescribing penalties for violations of the Act.

Also:

H. 1741. To repeal Act No. 730, H. 790 of the Regular Session of 1961 (Acts, 1961, p. 1044) entitled "An Act Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act."

Also:

H. 1694. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Com-

mission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Also:

H. 1792. To apply only in counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

Also:

H. 1793. To repeal Act No. 930, H. 1380, Regular Session 1961 (Acts 1961, p. 1490), entitled, "An Act which creates the office of commissioner of licenses in counties having populations of not less than 100,000 nor more than 115,000, according to the last and any subsequent federal decennial census, which act provides for the appointment, powers, duties and authority of the commissioner and transfers certain duties of the probate judge, tax assessor and tax collector to the commissioner of licenses."

Also:

H. 1794. To repeal Act No. 652, H. 877, Regular Session 1967 (Acts 1967, p. 1472), entitled, "An Act To apply only in counties having populations of 100,000 nor more than 115,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles and prescribing penalties."

Also:

H. 1795. To create the office of commissioner of licenses in counties in Alabama having populations of not less than one hundred fifteen thousand (115,000) and not more than one hundred fifty thousand (150,000) according to the last and any subsequent decennial federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner of which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Also:

H. 1816. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Also:

H. 1875. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

Also:

H. 1966. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

Also:

H. 1994. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide for an annual clerk hire expense allowance to the probate judge of said counties.

Also:

H. 2046. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the last or any subsequent federal decennial census; to authorize the Clerk of the Circuit Court to hire clerical help and fixing the compensation and method of payment thereof.

Also:

H. 2066. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

Also:

H. 2088. Relating to Pickens County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine the number of deputies and their salaries.

Also:

H. 2090. To grant legislative relief to officers of counties having a population of not less than 110,000 and not more than 150,000 having been paid expenses under the provisions of Act No. 581, Acts of Alabama 1969, page 1068.

Also:

H. 2091. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 2092. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama,

1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2093. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 2095. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Also:

H. 2096. To repeal Act No. 298, H. 516, 1965 Regular Session of the Legislature of Alabama, approved August 10, 1965, relating to the authority of incorporated cities and towns within the State of Alabama having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census, to provide by ordinance for the levy and assessment of sales and use tax, parallel to the State levy of sales and use tax.

Also:

H. 2094. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent Federal Decennial Census, to create a Planning Commission having certain powers, duties and regulations.

Also:

H. 2097. To repeal Act No. 10, S. 17, 1965 Second Special Session, approved September 21, 1965, relating to city recorder; providing for appointment of recorders in cities having a population of not less than 70,000 nor more than 100,000.

Also:

H. 2098. To repeal Act No. 90, H. 214, 1965 Second Special Session, approved September 30, 1965, relating to off-street automobile parking facilities in cities having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census.

Also:

H. 2099. To repeal Act No. 104, S. 239, 1965 Regular Session, providing further for the terms of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

Also:

H. 2100. To repeal Act No. 401, H. 971, 1963 Regular Session, approved August 30, 1963, as amended, pertaining to the creation of Planning Commissions within municipalities having a population of not less than 70,000 nor more than 130,000 according to the most recent Federal Decennial Census.

Also:

H. 2101. To repeal Act No. 1217, H. 1479, 1969 Regular Session, approved September 13, 1969, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, authorizing said municipality to provide the municipal gas utility boards to make certain expenditures without prior consent and approval of the governing body.

Also:

H. 2102. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session, 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Also:

H. 2103. To repeal Act No. 1215, H. 1477, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, and authorizing waterworks utility boards to make certain expenditures without the prior consent and approval of the governing bodies.

Also:

H. 2104. Authorizing all municipalities in the State which now have or may hereafter have a population of not less than 135,000 and not more than 185,000 inhabitants according to the 1970 or any subsequent Federal Decennial Census to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within such municipalities, or any accumulation of trash, rubbish, junk or debris, or any unsightly or dangerous walls, or any abandoned construction of any kind or nature, or motor vehicles or machinery not in operating condition, or any debris of a burned building, or any abandoned or unused swimming pool, or any abandoned wells or cisterns, to be a public nuisance and creating a lien upon the property

fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

Also:

H. 2105. Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census.

Also:

H. 2106. To repeal Act No. 395, H. 833, Regular Session, 1961, approved August 7, 1961, as amended, which said act relates to the election of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

Also:

H. 2107. To repeal Act No. 209, S. 32, 1961 Special Session, approved September 15, 1961, providing for the adoption of a commission form of government in cities having a population of more than 70,000 and not more than 100,000.

Also:

H. 2108. Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

Also:

H. 2110. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

H. 2111. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

H. 2112. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Also:

H. 2113. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein

the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 2114. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

Also:

H. 2115. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Also:

H. 2116. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Also:

H. 31. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 367. To amend Act No. 999 approved September 12, 1969 (Acts of Alabama 1969, Pages 1855-1966); to establish the Alabama Peace Officers Annuity and Benefits Fund; to redefine certain words and terms; to clarify the organization, operation and powers of the Board, the eligibility of members, and court cost to be imposed; to more clearly state retirement, disability, and death benefits; to provide for an actuarial study, refunds, credit for military service and to repeal all laws in conflict herewith.

Also:

H. 790. Authorizing a special referendum to determine the classification of counties as wet or dry counties, which would provide a series of special rules governing the sale of alcoholic beverages in wet counties in addition to those provided in the general law.

Also:

H. 506. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to the Elks Memorial Center.

Also:

H. 970. Relating to Livingston University, a state educational institution, formerly named Livingston State College: To amend Sections 1, 2, 3, 4, 6 and 7 of Act No. 424, H. 541, Regular Session 1967 (Acts 1967, p. 1092), which created a board of trustees of Livingston State College, so as to increase the membership of the board of trustees, to provide further for meetings of the board and of its committees, to provide further for the powers and duties of the board, to prescribe a quorum of the board, to forbid members of the board and the chief executive officer of the University from engaging in certain activities and to ratify and confirm certain acts of the board of trustees and of the executive officer which have been heretofore done.

Also:

H. 129. To amend Section 26 of Act No. 987 of the General Acts of Alabama 1969, now codified as Title 13, Section 111 (25), Code of Alabama 1940, recompiled 1958, to fix the compensation of the clerk of the Court of Criminal Appeals, to fix the compensation of the assistant clerk of the Court of Criminal Appeals.

Also:

H. 844. To provide that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers or state troopers who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of city policemen or other municipal law enforcement officers or state troopers who, while employed by a municipality, are killed in the line of duty.

Also:

H. 379. To amend Section 666, Title 7, Code of Alabama, Recompiled 1958, relating to amount of wages or salary exempt from estate of deceased employee.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 79. To amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as returning officer at each polling place.

Also:

H. 2052. To amend Section 44 of Title 50 of the Code of Alabama of 1940, as heretofore amended, so as to eliminate the limitation on the rate of interest that may be borne by bonds of an improvement authority incorporated pursuant to the provisions of Chapter 3 of Title 50 of the Alabama Code of 1940, as amended.

Also:

H. 1271. To further amend Sections 4, 12, 14, 16, and 23 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 1387. To further amend Section 12, sub-paragraph (k) of Act No. 929 of the Regular Session of the Legislature of Alabama 1951, approved September 12th, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled "An act to create or provide in or for each and every city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding Federal Census, a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and subordinately to define officers and employees of the Board of Health of any County in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 2216. To empower Recorders Court in municipalities having now or hereafter having a population of 250,000 or more, according to the last or any subsequent federal census, to suspend sentences or grant probation under certain conditions.

Also:

H. 2039. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And to Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of the Second Special Session Of the Legislature of Alabama Of 1956, to Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Also:

H. 2040. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees: and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents".

Also:

H. 290. To grant free fishing privileges in all public lakes in Tuscaloosa County to certain resident citizens of the State.

Also:

H. 519. Relating to Tuscaloosa County; to authorize the county board of education to provide for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

Also:

H. 1600. To repeal Act No. 517, H. 1033, approved August 21, 1969, Regular Session 1969 (Acts 1969, p. 993) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties."

Also:

H. 1601. To repeal Act No. 844, H. 1122, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1549) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more

than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2170. Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 2171. To repeal Act No. 109, H. 147, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 140) entitled, "An Act to regulate further the feeding of prisoners in jail in all counties having populations of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census."

Also:

H. 2172. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 2173. To repeal Act No. 795, H. 949, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1429) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

Also:

H. 2174. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

Also:

H. 2177. To abolish the Office of County Solicitor of St. Clair County, and to create in lieu thereof the office of Deputy District Attorney for St. Clair County and to provide for his duties, selection and compensation.

Also:

H. 2199. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, p. 1210) as last amended which provides housing authorities and municipalities within the State of Alabama with certain power in respect to urban renewal, so as to remove an exception relating to Houston County.

Also:

H. 2200. To provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County.

Also:

H. 2217. Relating to all counties having populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; providing further for the manner of payment of the sheriff and his deputies.

Also:

H. 2220. Relating to counties having populations not less than 14,500 nor more than 15,500; to impose a privilege license or excise tax on sellers, distributors, storers, or users of malt or brewed beverages in such counties; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 2224. To allow the Clerk of the Circuit Court, and the Register of the Circuit Court in Equity, of the Sixth Judicial Circuit of Alabama, the option, within their own discretion, to determine whether they shall come within the provisions of Act No. 566, S. 117, Regular Session 1969 (Acts 1969, p. 1046).

Also:

H. 2229. To provide for further clerical assistance to the jury commission in Madison County.

Also:

H. 2237. Changing the method of collecting and accounting for fees charged for the photographing and microphotographing of public records filed in the offices of the Clerk and Register of the Circuit Court of Madison County, Alabama, and repealing a portion of Act No. 464 of 1959.

Also:

H. 2255. Relating to Walker County; regulating costs and charges of certain courts in said county.

Also:

H. 2275. Relating to Hale County; to authorize the county commission to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

Also:

H. 2276. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Hale County.

Also:

H. 2277. Relating to Hale County; regulating the insuring of public school buildings and the contents thereof.

Also:

H. 2273. To repeal Act No. 869, S. 467, approved September 3, 1965, Regular Session 1965 (Acts 1965, p. 1630), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000; regulating the insuring of public school buildings and the contents thereof in such counties."

Also:

H. 2279. To repeal Act No. 93, H. 237, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 126), entitled, "An Act To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

H. 2280. To repeal Act No. 756, H. 1432, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1079), entitled, "An Act To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census, to cover the employees of the county under the Workmen's Compensation Act."

Also:

H. 2281. To repeal Act No. 558, H. 571, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1313), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000, fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees."

Also:

H. 2283. To repeal Act No. 877, H. 1221, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1585), entitled, "An Act Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties."

Also:

H. 2284. To repeal Act No. 157, H. 176, approved, May 14, 1969, Special Session 1969 (Acts 1969, p. 224), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 19,500 nor more than 20,000 according to the most recent federal decennial census, with retroactive effect."

Also:

H. 2285. To repeal Act No. 934, H. 1348, approved, September 12, 1969, Regular Session 1969 (Acts 1969, p. 1671), entitled, "An Act Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial

census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance, to repeal conflicting laws."

Also:

H. 2050. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of ex-officio judge of any county court exercising original jurisdiction over general misdemeanor cases.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2287. Relating to Hale County; to fix expense allowances of the county commission with retroactive effect.

Also:

H. 2288. Relating to Hale County; to authorize, direct, and require the county commission to cover the employees of the county under the Workmen's Compensation Act.

Also:

H. 2289. Relating to Hale County; to provide an additional expense allowance for the members of the county board of education.

Also:

H. 2290. Relating to Hale County; fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

Also:

H. 2291. Relating to certain offices and officers of Bibb County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Also:

H. 2293. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Bibb County.

Also:

H. 2294. Relating to Bibb County, providing further for the election of members of the governing body of said county.

Also:

H. 2295. To authorize the county governing body of Bibb County to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

Also:

H. 2296. To provide for reimbursing the chairman or other presiding officer and the members of the county governing body of Bibb County for certain expenses incurred in travel outside their county.

Also:

H. 2297. To repeal Act No. 865, H. 1192, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1576) entitled, "An Act To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county."

Also:

H. 2298. To repeal Act No. 322, H. 1347, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1670) entitled, "An Act Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws."

Also:

H. 2299. To repeal Act No. 503, H. 1101, approved, August 20, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 743) entitled, "An Act To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Also:

H. 2302. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Also:

H. 2303. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and

removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

H. 2304. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Also:

H. 2305. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

H. 2306. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Also:

H. 2307. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

H. 2362. Relating to all counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties.

Also:

H. 2377. Relating to counties having populations of not less than 175,000 nor more than 300,000 inhabitants according to the most recent or any subsequent federal decennial census, to empower any county planning commission now existing or which hereafter may be created in such counties to merge or consolidate with any consenting planning commission of an incorporated municipality in that county.

Also:

H. 2378. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

Also:

H. 2292. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Bibb County; and the regulation of costs and charges of courts in said county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2117. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Also:

H. 2118. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

H. 2119. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Also:

H. 2120. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

H. 2121. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

Also:

H. 2122. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Also:

H. 2123. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

H. 2124. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Also:

H. 2130. To provide the tax assessors and tax collectors of counties having populations of not less than 23,800 nor more than 23,925 an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Also:

H. 2153. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies.

Also:

H. 2154. To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 2155. Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer.

Also:

H. 2156. To repeal Act No. 229, S. 148, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act to authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held."

Also:

H. 2157. To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars.

Also:

H. 2158. To repeal Act No. 350, H. 872, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487) entitled, "An Act relating to counties having a population of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county."

Also:

H. 2159. Relating to all counties having a population of not less than 53,000 nor more than 55,000 based on the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

Also:

H. 2160. To repeal Act No. 236, S. 428, approved August 16, 1967, Regular Session (Acts 1967, p. 612) entitled, "An Act to authorize all counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services."

Also:

H. 2161. To authorize counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in said counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such

service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Also:

H. 2162. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

Also:

H. 2163. To repeal Act No. 797, H. 972, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties."

Also:

H. 2164. Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 2165. To repeal Act No. 465, H. 535, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1156) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fees."

Also:

H. 2166. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws.

Also:

H. 2167. To repeal Act No. 1021, S. 875, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1901) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties."

Also:

H. 2168. Providing additional allowances for clerk hire fund for the office of Probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 2169. To repeal Act No. 798, H. 973, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to

apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1609. To repeal Act No. 58, S. 54, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 74) entitled, "An Act To amend Section 1, Act No. 154, S. 122, approved August 28, 1964, an act relating to the compensation of deputy sheriffs in counties having populations of not less than 42,000 nor more than 46,000 (Acts 1964, p. 219)."

Also:

H. 1610. To repeal Act No. 59, S. 55, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 75) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000; providing for the payment of additional per diem allowances to members of the boards of equalization of such counties."

Also:

H. 1611. To repeal Act No. 61, S. 73, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 76) entitled, "An Act To relieve the Judge of Probate of any county or counties in population of 42,000 to 46,000 according to the 1960 Federal decennial census of any and all responsibility for failure to charge and collect affidavit fees on licensing of commercial vehicles during the period October 1, 1962 through January 18, 1965."

Also:

H. 1612. To repeal Act No. 62, S. 74, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 77) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; to provide for payment of extra per diem allowances to members of boards of registrars in such counties."

Also:

H. 1613. To repeal Act No. 96, S. 95, approved March 22, 1965, Special Session 1965 (Acts 1965, p. 110) entitled, "An Act To amend Act No. 917, S. B. 7, approved September 9, 1961 relating to the compensation of the deputy clerk of the circuit clerk of counties having populations of not less than 42,000 nor more than 46,000."

Also:

H. 1614. To repeal Act No. 53, S. 4, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 71) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Also:

H. 1615. To repeal Act No. 160, S. 338, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 228) entitled, "An Act to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts."

Also:

H. 1616. To repeal Act No. 241, H. 919, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344) entitled, "An Act To apply only in counties having populations of not less than 42,000 nor more than 46,000; providing a clerk hire allowance for the county or deputy solicitor of such counties."

Also:

H. 1617. To repeal Act No. 102, H. 313, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 485) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties."

Also:

H. 1618. To repeal Act No. 407, H. 1008, approved September 3, 1963, Regular Session 1963 (Acts 1963, p. 907) entitled, "An Act Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of certain county roads and bridges."

Also:

H. 1619. To repeal Act No. 250, H. 962, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 361) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

Also:

H. 1620. To repeal Act No. 42, H. 128, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 257) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

Also:

H. 1621. To repeal Act No. 179, S. 4, approved, August 23, 1966, Special Session 1966 (Acts 1966, p. 212) entitled, "An Act To regulate further the bail bond business in counties having populations of not less than 42,000 nor more than 46,000; amending Code of Alabama, 1940, Title 15, Section 201."

Also:

H. 1622. To repeal Act No. 394, S. 224, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 534) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor

more than 46,000, according to the most recent federal decennial census; providing a clerk hire allowance to the Register in Chancery in such counties."

Also:

H. 1623. To repeal Act No. 184, S. 60, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 249) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body."

Also:

H. 1624. To repeal Act No. 185, S. 61, approved May 14, 1969, Special Session 1969, (Acts 1969, p. 250) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the judge of the inferior court or intermediate court."

Also:

H. 1625. To repeal Act No. 186, S. 62, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act To provide expense allowances for tax assessors and tax collectors in all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census."

Also:

H. 1626. To repeal Act No. 187, S. 63, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county."

Also:

H. 1627. To repeal Act No. 188, S. 64, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an expense allowance for the coroner in such counties."

Also:

H. 1628. To repeal Act No. 189, S. 65, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the circuit clerk in such counties."

Also:

H. 1629. To repeal Act No. 100, H. 37, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 177) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the Register in Chancery in such counties."

Also:

H. 1630. To repeal Act No. 101, H. 39, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 178) entitled, "An Act To apply only to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide additional funds for clerk hire for circuit clerks in such counties."

Also:

H. 1631. To repeal Act No. 102, H. 40, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 179) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties."

Also:

H. 1632. To repeal Act No. 154, H. 172, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund."

Also:

H. 1633. Relating to Cullman County; to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts.

Also:

H. 1636. Relating to Cullman County; fixing the compensation of the deputy clerk of the register and providing for payment thereof.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolution, your signature thereto is requested.

H. 47. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

Also:

H. J. R. 145. Creation of a Fine Arts High School.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

REPORT OF SELECT COMMITTEE

Mr. O'Bannon, member of the Committee appointed before the recess to attempt to effect a compromise relative to the highway bond issue and revenue measures, offered the following committee report, to-wit:

September 14, 1971

The committee of five, having met pursuant to appointment by the **Presiding Officer of the Senate on this date in an effort to resolve the differences over the revenue measures and the highway bond issue and, having taken into consideration the various views and feelings of the members of this body, Senator Pierce, Senator Pelham, Senator Fine, and Senator O'Bannon, recommend as follows:**

1. The adoption of the pending special order,
2. That the Senate vote on the revenue measures as they appear on the special order,
3. That the Senate vote on the highway bond issue if a motion to carry the bond issue over to the thirty-sixth legislative day fails to receive a majority vote.

J. J. PIERCE
PIERRE PELHAM
JOE FINE
STEWART O'BANNON, JR.

Dissent of Senator Bailes:

After consultation with certain other members of the Senate, the position of passing the revenue measures first and holding the bond issue until after the revenue measures have been enacted into law has not changed. House Bills 46 and 47 have not been signed by the presiding officers of either body or the Governor, and there is no indication at this time as to the amount of money available for a bond issue.

GEORGE LEWIS BAILES, JR.

Which was adopted.

Yeas 25; Nays 10.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Branyon	Hammond	McLain	Pierce	
Clark	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dozier	Horne	O'Bannon	Weaver	
Fine	Lindsey	Owen	Wilson	
Foshee	Littleton			—25

Nays:

Messrs.:	Cook	Gilmore	Vacca	
Bailes	Dominick	Jones	Wilder	
Carr	Edington	King		—10

FURTHER CONSIDERATION OF S. R. 105

The Senate proceeded to further consideration of the Resolution, S. R. 105. The question was on the amendment offered by Mr. Bailes.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 23; Nays 12.

Yeas:

Messrs.:	Foshee	Littleton	Owen	
Branyon	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cooper	Harris	Malone	Shelby	
Dozier	Horne	Noonan	Weaver	
Fine	Lindsey	O'Bannon	Wilson	
				—23

Nays:

Messrs.:	Dominick	Hawkins	Pierce	
Bailes	Edington	Jones	Vacca	
Carr	Gilmore	King	Wilder	
Cook				—12

Mr. Dominick offered the following amendment to the Resolution, S. R. 105, to-wit:

AMENDMENT TO S. R. 105

Strike therefrom

Item 1. H. B. 2317 on page 167.

RESOLUTION

Mr. Horne offered the following Senate Joint Resolution, to-wit:

S. J. R. 106. WHEREAS, James W. and Virginia H. Goodwin have been loyal and devoted supporters of Auburn University for many years, contributing to the enrichment of the institution in many ways; and

WHEREAS, this devotion has been demonstrated by a recent gift which will enable the construction of a much-needed facility to house the University's 200-member band; and

WHEREAS, this outstanding act of philanthropy will add immeasurably to the morale and excellence of the University band as it makes its contribution to the thousands of persons who hear it each year; and

WHEREAS, Mr. Goodwin, who was a civil engineering graduate of Auburn University in the class of 1927, is a life member of the Auburn Alumni Association; and

WHEREAS, the Auburn University Board of Trustees has unanimously recommended the naming of this important facility for Mr. and Mrs. Goodwin, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in recognition of the Goodwin's outstanding loyalty and dedication to Auburn University and the people of Alabama, that this building be designated, named and known as the Goodwin Building.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. and Mrs. Goodwin and their daughter, Joy Elizabeth, so that they may know of this tribute to them.

On motion of Mr. Horne, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 105

The Senate proceeded to further consideration of the Resolution, S. R. 105. The question was on the amendment offered by Mr. Dominick.

On motion of Mr. Shelby, said amendment was laid on the table.

And said Resolution, S. R. 105, was then adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 2080. Relating to ad valorem taxation; providing for the classifications of property for purposes of taxation; and fixing percentages of fair and reasonable market value of the property in the several classes at which such property shall be valued and taxes thereon assessed.

as amended.

Mr. Shelby moved that further consideration of the Bill, H. B. 2080, as amended, be postponed until the next Legislative Day without losing its place on the Calendar, which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Dominick	Jones	Shelby
Bailes	Edington	King	Vacca
Carr	Gilmore	O'Bannon	Wilder
Cook	Hawkins	Pierce	

Nays:

Messrs.:	Fine	Horne	Pelham
Branyon	Foshee	Lindsey	Register
Clark	Givhan	Littleton	Weaver
Cooper	Hammond	Malone	Wilson
Dozier	Harris	Owen	

—18

On motion of Mr. Cooper, further consideration of the Bill, H. B. 2080, as amended, was postponed until the next Legislative Day as Unfinished Business.

SPECIAL ORDERS

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first item of which was the Bill:

H. 2317. To amend Section 11 of Act No. 674 of the 1961 Regular Session of the Legislature so as to increase the fee charged for an inspection marker for motor vehicles and to provide for the disposition of the proceeds therefrom.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 2317, to-wit:

COMMITTEE AMENDMENT TO H. B. 2317

Amend H. B. 2317, Section 1, by striking out the words and figures "six dollars (\$6.00)" wherever they appear and substituting in lieu thereof "twelve dollars (\$12.00)".

Which was adopted.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

Nays:

—0

And said Bill, H. B. 2317, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Cook	Fine	Harris
Bailes	Cooper	Foshee	Horne
Branyon	Dominick	Gilmore	Jones
Carr	Dozier	Givhan	King
Clark	Edington	Hammond	Lindsey

Littleton	Noonan	Pierce	Weaver	
Lybrand	O'Bannon	Register	Wilder	
McLain	Owen	Shelby	Wilson	
Malone	Pelham	Vacca		—34

Nays: —0

Mr. Harris moved that the Senate reconsider the vote by which the Bill, H. B. 2317, as amended, was passed and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 2062. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, so as to increase the rate of the tax levied in said act to nine cents per gallon. was taken up.

Mr. Harris offered the following amendment to the Bill, H. B. 2062, to-wit:

AMENDMENT TO H. B. 2062

Amend the title and Section 1 of House Bill 2062 by striking therefrom the word "nine" wherever it appears and substitute in lieu thereof the word "eight".

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne	Owen		—34

Nays: —0

Mr. Cook offered the following substitute for the Bill, H. B. 2062, as amended, to-wit:

SUBSTITUTE FOR H. B. 2062 AS AMENDED

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, so as to increase the rate of the tax levied in said act to 7½ cents per gallon.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, is hereby amended so as to read as follows:

"Section 2. Every distributor, or storer, or user, as defined in this act, shall pay, except as otherwise herein provided, an excise tax of 7½ cents per gallon upon the selling, using or consuming, distributing, storing or withdrawing from storage in this state of any motor fuel for use in the operation of any motor vehicle upon the highways of this state; provided, however, that where the excise tax herein levied shall have been paid by one distributor or storer or user, such payment shall be sufficient, the intent being that the tax shall be paid but once. Provided, further, that motor fuel subject to the excise tax levied by this act shall not be subject to any other excise tax levied by the state."

Section 2. This Act shall become effective on the first day of the second calendar month after its approval by the Governor or its otherwise becoming law.

On motion of Mr. Harris, said substitute was laid on the table.

Yeas 19; Nays 16.

Yeas:

Messrs.:	Fine	Horne	Noonan
Branyon	Foshee	Lindsey	Owen
Clark	Givhan	Littleton	Pelham
Cooper	Hammond	Lybrand	Register
Dozier	Harris	McLain	Wilson

—19

Nays:

Messrs.:	Edington	King	Shelby
Bailes	Gilmore	Malone	Vacca
Carr	Hawkins	O'Bannon	Weaver
Cook	Jones	Pierce	Wilder
Dominick			

—16

And said Bill, H. B. 2062, as amended, was then read a third time at length and passed.

Yeas 24; Nays 11.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Branyon	Hammond	McLain	Register
Clark	Harris	Malone	Shelby
Cooper	Horne	Noonan	Weaver
Dozier	Lindsey	O'Bannon	Wilder
Fine	Littleton	Owen	Wilson
Foshee			

—24

Nays:

Messrs.:	Cook	Gilmore	King
Bailes	Dominick	Hawkins	Pierce
Carr	Edington	Jones	Vacca

—11

Mr. Harris moved that the Senate reconsider the vote by which the Bill, H. B. 2062, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MOTION TO RECONSIDER

Mr. Harris moved that the Senate reconsider the vote by which the Bill, H. B. 46, as amended by the Conference Report, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

BILLS ON THIRD READING RESUMED

The Bill:

H. 50. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$135,000,000 aggregate principal amount of bonds in addition to those heretofore authorized to be issued by the Authority; to provide for the method of execution of the said bonds and other details pertaining thereto; to provide that the bonds shall be sold only at public sales and to make provisions respecting such sales, and the application of the proceeds from the sale or sales thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the Authority appropriated and pledged in this act; to provide that the said bonds while not registered shall constitute negotiable securities even though payable from a limited source; to provide that bonds at any time issued by the Authority and by Alabama Highway Finance Corporation, or either of them, and at the time outstanding may be refunded by the issuance by the Authority of refunding bonds and that the limitation on the amount of the bonds issued by the said Authority under this act shall not apply to refunding bonds issued under this act; to provide that the bonds and the income therefrom shall be exempt from taxation; to provide that the bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of the bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that if any portion of this act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 50, to-wit:

COMMITTEE AMENDMENT TO H. B. 50

Amend H. B. 50 by striking the figures "\$135,000,000" where same appear in the Title and in Section 2 and insert in lieu thereof the following figures: "\$80,000,000".

Further amend H. B. 50 as follows:

At the end of Section 9 add the following:

"These bond proceeds hereby appropriated to the Highway Department may be used only to fund the appropriations and budget required by S. B. 66 passed in the Special Session of the Legislature in 1971."

On motion of Mr. Harris, said amendment was laid on the table.

Mr. Harris then offered the following amendment to the Bill, H. B. 50, to-wit:

AMENDMENT TO H. B. 50

Amend Section 10 of House Bill 50 as follows:

(A) Strike the word "and" at the end of subsection (d) of Section 10.

(B) Strike the period at the end of subsection (e) of Section 10 and substitute for the period so struck a semicolon followed by the word "and".

(C) Immediately after subsection (e) of Section 10, insert the following:

"(f) To such extent and to such extent only as the revenues appropriated under the foregoing subsections (a), (b), (c), (d) and (e) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the foregoing subsections (a), (b), (c), (d) and (e)] of the receipts from the fee, in respect of identification markers on motor vehicles, that is provided for in Section 11 of the aforesaid Act No. 674, as amended."

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	—34

Nays: —0

Mr. Malone offered the following amendment to the Bill, H. B. 50, as amended, to-wit:

AMENDMENT TO H. B. 50

A. Amend the title to House Bill 50 by striking therefrom the figure "\$135,000,000," wherever it appears and substitute in lieu thereof the figure "\$100,000,000".

B. Amend Section 2 of House Bill 50 by striking therefrom the figure "\$135,000,000" wherever it appears and substitute in lieu thereof the figure "\$100,000,000".

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 21; Nays 13.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Branyon	Hammond	McLain	Register	
Clark	Harris	Noonan	Shelby	
Cooper	Horne	O'Bannon	Weaver	
Dozier	Lindsey	Owen	Wilson	
Foshee	Littleton			—21

Nays:

Messrs.:	Dominick	Hawkins	Malone	
Bailes	Edington	Jones	Pierce	
Carr	Fine	King	Vacca	
Cook	Gilmore			—13

Mr. Wilson offered the following amendment to the Bill, H. B. 50, as amended, to-wit:

AMENDMENT TO H. B. 50 AS AMENDED

Amend House Bill 50 by striking the figures "\$135,000,000" in said bill wherever such figures appear and insert in lieu thereof the figures "\$110,000,000".

Which was adopted.

Yeas 34; Nays 1.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones	Owen		—34

Nay: Mr. Dominick —1

Mr. Harris moved that further consideration of the Bill, H. B. 50, as amended, be laid on the table, which motion was lost.

Mr. Dominick offered the following amendment to the Bill, H. B. 50, as amended, to-wit:

AMENDMENT TO H. B. 50

Amend H. B. 50 as follows:

(1) Amend the second sentence of the first paragraph of Section 9 of H. B. 50 by changing the capital "T" at the beginning of said second sentence to a small "t" and adding at the beginning of the said second sentence the following:

"Subject to the provisions of Act No. 90 adopted at the 1971 Special Session of the Legislature of Alabama,"

(2) Amend Section 9 of H. B. 50 by adding at the end thereof the following:

"It is the intention of the Legislature that this Act and Act No. 90 adopted at the 1971 Special Session of the Legislature of Alabama be construed in *pari materia*."

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

And said amendment offered by Mr. Dominick to the Bill, H. B. 50, as amended, was then lost.

Yeas 15; Nays 20.

Yeas:

Messrs.:	Dominick	Hawkins	Pierce
Bailes	Edington	Jones	Shelby
Carr	Fine	King	Vacca
Cook	Gilmore	O'Bannon	Wilder

—15

Nays:

Messrs.:	Givhan	Littleton	Owen
Branyon	Hammond	Lybrand	Pelham
Clark	Harris	McLain	Register
Cooper	Horne	Malone	Weaver
Dozier	Lindsey	Noonan	Wilson
Foshee			

—20

Mr. Dominick then offered the following amendment to the Bill, H. B. 50, as amended, to-wit:

AMENDMENT TO H. B. 50 AS AMENDED

Amend H. B. 50 as follows:

Amend the first paragraph of Section 9 of H. B. 50, as amended, by changing the period at the end of said paragraph to a semicolon and adding the following:

"provided, further, that not less than twenty-one million and six hundred thousand dollars of the proceeds from the sale of the bonds must be allocated (and when so allocated must thereafter be spent) for the acquisition, construction, reconstruction and improvement to federal limited access standards of U. S. Highway 231 from Montgomery to the Alabama-Florida line near Dothan."

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 27; Nays 8.

Yeas:

Messrs.:	Hammond	Littleton	Pelham
Branyon	Harris	Lybrand	Pierce
Clark	Hawkins	McLain	Shelby
Cooper	Horne	Malone	Vacca
Foshee	Jones	Noonan	Weaver
Gilmore	King	O'Bannon	Wilder
Givhan	Lindsey	Owen	Wilson

—27

Nays:

Messrs.:	Cook	Dozier	Fine
Bailes	Dominick	Edington	Register
Carr			

—8

Mr. Bailes moved that further consideration of the Bill, H. B. 50, as amended, be postponed until the next Legislative Day. Mr. Harris moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Hammond	McLain	Pelham	
Branyon	Harris	Malone	Register	
Clark	Lindsey	Noonan	Weaver	
Cooper	Lybrand	Owen	Wilson	
Givhan				—16

Nays:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Shelby	
Cook	Foshee	Littleton	Vacca	
Dominick	Gilmore	O'Bannon	Wilder	
Dozier	Hawkins			—17

Mr. Harris then made a substitute motion that further consideration of the Bill, H. B. 50, as amended, be postponed temporarily. On motion of Mr. Bailes, said motion was laid on the table.

Yeas 18; Nays 17.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Shelby	
Carr	Fine	King	Vacca	
Cook	Foshee	Littleton	Wilder	
Dominick	Gilmore	O'Bannon		—18

Nays:

Messrs.:	Hammond	McLain	Pelham	
Branyon	Harris	Malone	Register	
Clark	Horne	Noonan	Weaver	
Cooper	Lindsey	Owen	Wilson	
Givhan	Lybrand			—17

The question recurred on the motion to postpone further consideration of the Bill, H. B. 50, as amended, to the next Legislative Day, and said motion was then adopted.

Yeas 19; Nays 16.

Yeas:

Messrs.:	Dominick	Gilmore	O'Bannon	
Bailes	Dozier	Hawkins	Pierce	
Carr	Edington	Jones	Shelby	
Cook	Fine	King	Vacca	
Cooper	Foshee	Littleton	Wilder	
				—19

Nays:

Messrs.:	Harris	McLain	Pelham	
Branyon	Horne	Malone	Register	
Clark	Lindsey	Noonan	Weaver	
Givhan	Lybrand	Owen	Wilson	
Hammond				—16

Mr. Cooper moved that the Senate reconsider the vote by which the motion to postpone further consideration of the Bill, H. B. 50, as amended, until the next Legislative Day, was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2049. To amend Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees who are totally disabled as a result of injuries received in the performance of their official duties in certain cities classified on a population basis.

Also:

H. 2234. Relating to all counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide \$15.00 per day for each of the members of the Board of Registrars while said Board is in session, and to provide the method of payment thereof.

Also:

H. 2235. Relating to counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide for a sheriff allowance for feeding prisoners and to further provide for the sheriff to retain the fees and allowances for transporting insane and juvenile prisoners.

Also:

H. 2236. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide that the county governing body of any such county that levies any tax on persons selling or distributing malt or brewed beverages in such counties may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure and shall deduct all reasonable expenses for collection and enforcement of such tax from the proceeds thereof.

Also:

H. 2333. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 34, 35 and 36, Township 16 N, Range 17 E, Montgomery County, Alabama.

Also:

H. 2334. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the northeast corner of Section 6, T15N, R18E, Montgomery County, Alabama.

Also:

H. 2335. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 28, 29, 32 and 33, Township 16 N, Range 18 E, Montgomery County, Alabama.

Also:

H. 2338. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16N, Range 18 E, Montgomery County, Alabama.

Also:

H. 2406. To amend the title and Section 1 of Act No. 921, H. 1328, Regular Session 1969 (Acts 1969, p. 1660) which exempts art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws in certain counties classified on a population basis.

Also:

H. 2407. To amend the title and Section 1 of Act No. 97, S. 105, Special Session 1965 (Acts 1965, p. 111) which regulates the per diem pay of jurors in certain counties classified on a populations basis.

Also:

H. 2409. To repeal Act No. 244, H. 502, approved August 19, 1963, Regular Session 1963 (Acts 1963, p. 653), entitled, "An Act to provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof."

Also:

H. 2411. To amend the title and Section 1 of Act No. 165, H. 215, Special Session 1965 (Acts 1965, p. 216) as last amended which fixes the fee for the issuance of a pistol permit by the sheriff, and provides for the disposition and use of such fee in certain counties classified on a population basis.

Also:

H. 2412. To amend the title and Section 1 of Act No. 1008, S. 843, Regular Session 1969 (Acts 1969, p. 1882) which provides for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries in certain counties classified on a population basis.

Also:

H. 2413. To amend the title and Section 1 of Act No. 231, S. 402, Regular Session 1969 (Acts 1969, p. 555) which provides for payment to the Recorder of the Recorder's Court for ex officio services rendered in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$5,100 per annum, payable in 12 equal monthly installments from the county treasury; to provide for payment to the Prosecuting Attorney of the Recorder's Court for ex officio services in the prosecution of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$3,000 per annum, payable in 12 equal monthly installments out of the county treasury in certain counties classified on a population basis.

Also:

H. 2414. To amend the title and Section 1 of Act No. 145, H. 541, Regular Session 1969 (Acts 1969, p. 418) which provides further for the duties of the judge of probate; to authorize the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws in certain counties classified on a population basis.

Also:

H. 2415. To amend the title and Section 1 of Act No. 144, H. 540, Regular Session 1969 (Acts 1969, p. 416) which provides further for the duties of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books in certain counties classified on a population basis.

Also:

H. 2416. To repeal Act No. 971, H. 1405, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1716), entitled, "An Act to provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation status and tenure of office and providing for the payment of their salaries."

Also:

H. 2417. To amend the title and Section 1 of Act No. 369, H. 917, Regular Session 1969 (Acts 1969, p. 738) which fixes the compensation of the judge of probate, regulates the payment of same, and requires the judge of probate to pay into the County Treasury of said counties all costs and charges of court, fees, and commissions authorized by law to be collected by said judge of probate as other monies belonging to said county are paid, provided that the salary herein prescribed shall not affect any expense allowance heretofore provided, and repeals conflicting laws, specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792) in certain counties classified on a population basis.

Also:

H. 2418. To amend the title and Section 1 of Act No. 685, H. 1093, Regular Session 1957 (Acts 1957, p. 1036) which provides for the election of the members of the County Commission in certain counties classified on a population basis.

Also:

H. 2419. To amend the title and Section 1 of Act No. 288, S. 319, Regular Session 1955 (Acts 1955, p. 654) as last amended, which defines, regulates and licenses barbers and barber colleges, and other like businesses; to create a barber's Commission and define the powers and duties of said Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions thereof in certain counties classified on a population basis.

Also:

H. 2420. To amend the title and Section 1 of Act No. 250, S. 312, Regular Session 1959 (Acts 1959, p. 810) as last amended, which creates a domestic relations division of the circuit court; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations in certain counties classified on a population basis.

Also:

H. 2421. To amend the title and Section 1 of Act No. 35, S. 34, Regular Session 1963 (Acts 1963, p. 120) which encourages medical and scientific research and the establishment of medical research facilities and the development of scientific research devices by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees charges and limitations in certain counties classified on a population basis.

Also:

H. 2422. To amend the title and Section 1 of Act No. 176, S. 372, Regular Session 1967 (Acts 1967, p. 536) which distributes a portion of the State Gasoline Excise Tax to be paid pursuant to the provisions of Section 5(b) of Act No. 224 in certain counties classified on a population basis.

Also:

H. 2423. To amend the title and Section 1 of Act No. 654, H. 1275, Regular Session 1961 (Acts 1961, p. 792) which declares the public policy of the State with respect to violations of Section 420, Title 14, Code of Alabama (1940) as amended by certain subsequent Acts; determines that prosecution and the imposition of criminal penalties are inadequate deterrents to violations of that Act and that the remedy at law is insufficient, declares violations of that statute to be a legal nuisance; provides certain exemptions; prevents unfair competition among merchants through violations of that statute; provides procedures for prescribing evidentiary presumptions for the Act's enforcement by injunction, confers jurisdiction for enforcement upon equity courts in certain counties classified on a population basis.

Also:

H. 2424. To amend the title and Section 1 of Act No. 341, H. 741, Regular Session 1951 (Acts 1951, p. 629) which provides for the payment of benefits to employees of certain counties who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of certain counties who are killed in the performance of their official duties in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate,

signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1998. To authorize and provide for branch banks in Lauderdale County, and to repeal conflicting laws.

Also:

H. 1999. Relating to Lauderdale County, authorizing the county commission of such county to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Also:

H. 2000. To authorize the county commission in Lauderdale County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in the county.

Also:

H. 2001. Providing for the substitution by city boards of education in Lauderdale County for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Also:

H. 2002. Relating to Lauderdale County; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Also:

H. 2003. Relating to the city of Florence; providing an expense allowance for members of the governing body of such cities.

Also:

H. 2004. Relating to Lauderdale County; authorizing the district attorney of said county to appoint a stenographic secretary, and to provide for the payment of said secretary's compensation from the general funds of the county.

Also:

H. 2005. To authorize the county commission of Lauderdale County to prescribe the times when county offices may be closed.

Also:

H. 2007. Relating to Lauderdale County, to authorize the county commission in such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and

facilities in order to qualify to receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

H. 2008. To provide for an appeal from any decision of a Civil Service Board in the city of Florence.

Also:

H. 2009. To provide for a clerk hire allowance for a secretary for any judge of a county court operating within the Eleventh Judicial Circuit.

Also:

H. 2010. To regulate the compensation of jurors in Lauderdale County.

Also:

H. 2263. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

Also:

H. 2370. Relating to counties having populations of not less than 65,500 nor more than 75,200; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

Also:

H. 2371. Relating to counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

Also:

H. 2372. Relating to counties having populations of not less than 65,500 nor more than 75,200; to authorize the circuit clerk to keep for his personal use any and all passport fees, in addition to any other compensation; to apply retroactively to January 1, 1971.

Also:

H. 2373. Relating to counties having populations of not less than 65,500 nor more than 75,200; to provide for the county commission of such counties to grant exclusive franchises to private haulers of solid waste.

Also:

H. 2376. Relating to counties having populations of not less than 65,500 nor more than 75,200 which have abolished their County Inferior Court and established in lieu thereof a Statutory County Court, by providing further for the manner of taking appeals from judgments of said county court to the circuit court.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2579. To authorize the Shelby County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 2581. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Tax Assessors, Tax Collectors, Circuit Clerks, Probate Judges, Coroners, and members of the county governing bodies; providing a limitation on amounts so paid; and providing further for such payments.

Also:

H. 2582. Relating to Shelby County; and to become effective if and when the sale of alcoholic beverages has become lawful in Shelby County; levying a privilege license or excise tax upon sellers, distributors, wholesalers, or users of malt or brewed beverages, or spiritous liquors, within Shelby County where said sale of malt or brewed or spiritous liquors is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations.

Also:

H. 2583. To amend the title and Section 1 of Act No. 432, H. 949, Regular Session 1965 (Acts 1965, p. 633) relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

Also:

H. 2584. To amend the title and Section 1 of Act No. 261, H. 212, Regular Session 1961 (Acts 1961, Vol. 1, p. 283).

To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

H. 2585. To amend the title and Section 1 of Act No. 570, S. 215, Regular Session 1969 (Acts 1969, Vol. II, p. 1056) relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Also:

H. 2586. To amend the title and Section 1 of Act No. 139, H. 282, Special Session 1966 (Acts 1966, p. 170) to regulate the compensation and allowances of coroners in counties having populations of not less than 32,000 nor more than 33,000 and repeal conflicting laws.

Also:

H. 2587. To amend the title and Section 1 of Act No. 181, H. 227, Special Session 1964 (Acts 1964, p. 249) to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Also:

H. 2588. To amend the title and Section 1 of Act No. 354, H. 677, Regular Session 1965 (Acts 1965, p. 490) to apply only in counties having populations of not less than 32,000 nor more than 33,000; providing expense allowances for members of the board of revenue or other like governing body of the county.

Also:

H. 2589. To amend the title and Section 1 of Act No. 275, H. 211, Special Session 1961 (Acts 1961, Vol. II, p. 2315) relating to court costs in all counties having populations of not less than 31,500 nor more than 33,500, according to the last or any subsequent federal decennial census.

Also:

H. 2590. To amend the title and Section 1 of Act No. 1221, H. 1493, Regular Session 1969 (Acts 1969, p. 2294) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Also:

H. 2591. To amend the title and Section 1 of Act No. 1222, H. 1494, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 2592. To amend the title and Section 1 of Act No. 263, H. 216, Regular Session 1961 (Acts 1961, p. 284) to regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

H. 2593. To amend the title and Section 1 of Act No. 1223, H. 1495, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Also:

H. 2594. To amend the title and Section 2 of Act No. 262, H. 214, Regular Session 1961 (Acts 1961, p. 283) an act to provide further for the economic development of counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census, and the economic development of municipalities within such counties; providing for the creation of a development board in each county to which this Act applies; providing for the organization, powers, functions, duties, and personnel of such board; and providing for the payment of the expenses and for the compensation of the personnel of such board.

Also:

H. 2595. To repeal Act No. 264, H. 217, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 284), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000 inhabitants according to the 1960 or any subsequent decennial census of the United States: Authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

Also:

H. 2596. To repeal Act No. 266, H. 219, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 285), entitled, "An Act relating to counties having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

Also:

H. 2597. To repeal Act No. 28, H. 54, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 39), entitled, "An Act to authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties."

Also:

H. 2598. To repeal Act No. 182, H. 228, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 250), entitled, "An Act to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county."

Also:

H. 2599. To repeal Act No. 195, H. 255, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 259), entitled, "An Act relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff."

Also:

H. 2600. To repeal Act No. 133, H. 139, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 185), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000; providing for the appointment of additional deputies sheriff whose compensation shall be paid by the county."

Also:

H. 2601. To repeal Act No. 101, H. 229, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 133), entitled, "An Act to apply only in counties having populations of not less than 31,500 nor more than 33,500; regulating the number and compensation of deputy sheriffs in such counties."

Also:

H. 2602. To repeal Act No. 112, H. 287, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 450), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices."

Also:

H. 2603. To repeal Act No. 398, H. 403, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 536), entitled, "An Act relating to all counties having populations of not less than 31,500 nor more than 33,500 according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; providing exceptions and authorizing the use of wire baskets in the taking of non-game fish."

Also:

H. 2604. To repeal Act No. 623, H. 1210, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1136), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session."

Also:

H. 2605. To repeal Act No. 265, H. 218, approved August 7, 1961 Regular Session 1961 (Acts 1961, Vol. I, p. 285), entitled "An Act to authorize the payment from the county treasury of an expense allowance to the coroner in counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2399. To amend further Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), as amended, which Act provides further for the expense allowance for members of the governing body of certain counties classified on a population basis.

Also:

H. 2400. To repeal Act No. 155, H. 173, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

Also:

H. 2452. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Baldwin County and municipalities therein to levy and collect additional property taxes for public library purposes, providing for the rate of the tax and the manner in which elections under this amendment shall be called.

Also:

H. 2454. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to provide that any person willfully retaining any property on loan from a public library or other educational institution or having lost the same, fails to tender the replacement value thereof, shall after thirty days notice be guilty of a misdemeanor.

Also:

H. 2456. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the probate judge of any such county to make official visits to the precincts within his county and providing for payment of certain expenses incurred in such visits.

Also:

H. 2459. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Also:

H. 2489. Relating to Dallas County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing that the tax shall not become effective until an election on levying the tax has been held and a majority of the electors voting therein have approved the tax.

Also:

H. 2495. To provide further for purging the lists of registered voters in Washington County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

Also:

H. 2498. To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure.

Also:

H. 2499. Relating to Marengo County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the probate judge and the collection, appointment, and distribution of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 2500. Legalizing the sale of draft or keg beer or malt beverages in Marengo County.

Also:

H. 2501. Relating to Marengo County; to prohibit the consumption and sale or giving away of alcoholic beverages for the purpose of consumption on the premises of retail licensees located outside the police jurisdiction of any municipality, unless a license therefor has been issued by the Alcoholic Beverage Control Board; to authorize municipal governing bodies to prohibit on-premises consumption and sale or giving away for the purpose of consumption of alcoholic beverages, unless a license therefor has been issued by said Board; and prescribing penalties for violation.

Also:

H. 2502. To establish a Sumter County Court of Record for Sumter County, Alabama, to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said Court shall be open at all times for the trial of cases and

transaction of business; to provide the rules and procedure for said Court; to provide a fine and forfeiture fund for said Court; and to abolish the County Court of Sumter County, Alabama.

Also:

H. 2511. Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; to provide that the county governing body and the city governing body of the largest city in said county shall each pay Mr. Olen H. Stewart \$100 apiece as a result of damages sustained to his vehicle because of a manhole cover being left off a city-county project.

Also:

H. 2563. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Also:

H. 2564. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Also:

H. 2565. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Also:

H. 2566. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Also:

H. 2575. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Also:

H. 2576. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

Also:

H. 1118. To provide further for the form of government of cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census; authorizing abandonment of the existing form of government and adoption of a mayor-council form of government, and describing the appointment, election, compensation, powers, duties, and authority of municipal officers and employees under such mayor-council form of government; providing for a referendum of the qualified electors to decide whether to adopt said new form of city government.

Also:

H. 1119. Relating to cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census, to provide for the regulation of campaign expenditures in the municipal elections of such cities; to provide for the reporting and investigating of alleged violations of any of the provisions of this act; to describe the methods of appeal from such decisions and to describe the penalties for any violations of these provisions.

Also:

H. 1787. To create within any county in this state having a population of not less than 150,000, nor more than 180,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations; to make it unlawful for any parent, guardian, or other person to aid, encourage or cause any child under eighteen years of age to become or remain dependent, neglected or delinquent, to provide for appeals from the judgments or orders of the Court, and to provide, when such orders shall be suspended pending appeal, for the administering of oaths and issuing of warrants; to provide for transfers from the Juvenile Court to other courts; and to provide for expenses for the Judge of said court when attending schools or seminars.

Also:

H. 1991. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for the establishing of rules and regulations governing the condemning and removing property within the city limits.

Also:

H. 1891. To create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City the Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2379. To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 2380. To repeal Act No. 990, S. 596, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1755) entitled, "An Act to provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws."

Also:

H. 2381. To repeal Act No. 624, S. 466, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1138) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk."

Also:

H. 2382. To repeal Act No. 628, H. 820, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1431) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for clerk hire allowances for certain county officers, repealing conflicting laws."

Also:

H. 2383. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws.

Also:

H. 2384. To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Also:

H. 2385. To repeal Act No. 169, H. 153, approved September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2123) entitled, "An Act to authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than forty-seven thousand (47,000) nor more than forty-nine thousand (49,000) inhabitants according to the last or any subsequent federal decennial census."

Also:

H. 2386. To repeal Act No. 251, H. 226, approved September 4, 1964, Special Session 1964 (Acts 1964, p. 348) entitled, "An Act to provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act."

Also:

H. 2387. To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit, and to fix the amount and method of payment thereof.

Also:

H. 2388. To repeal Act No. 806, H. 1018, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1450) entitled, "An Act relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit."

Also:

H. 2389. Authorizing the district attorney of the Twenty-seventh Judicial Circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county.

Also:

H. 2390. To repeal Act No. 1000, S. 799, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1866) entitled, "An Act relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws."

Also:

H. 2391. To increase the compensation of the judge of the County Court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census.

Also:

H. 2392. To repeal Act No. 424, H. 1012, approved August 16, 1965, Regular Session 1965 (Acts 1965, p. 625) entitled, "An Act to provide additional compensation for the official court reporters of all judicial

circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census."

Also:

H. 2393. To provide additional compensation for the official court reporters of the Twenty-seventh Judicial Circuit.

Also:

H. 2394. To repeal Act No. 548, S. 609, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1297), entitled "An Act relating to all counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman and members of the county governing body.

Also:

H. 2395. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body.

Also:

H. 2396. To repeal Act No. 497, S. 395, approved September 14, 1963, Regular Session 1963 (Acts 1963, p. 1065) entitled, "An Act to authorize circuit solicitors of circuits composed of only one county with a population under 500,000 and having two courthouses where circuit court is required by law to be held to employ a secretarial assistant; to prescribe the powers, duties and compensation of such secretarial assistant, and to provide for payment of such compensation from the general fund of the county composing such circuit."

Also:

H. 2398. To amend further Section 1 of Act No. 84, H. B. 115, Regular Session 1963 (Acts 1963, p. 464) as amended, which act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 2426. To amend the title and Section 1 of Act No. 50, H. 110, Special Session 1962 (Acts 1962, p. 69) which provides the procedure for initiating complaints under Act 295, Special Session, 1961, approved

September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940 in certain counties classified on a population basis.

Also:

H. 2427. To amend the title and Section 1 of Act No. 22, S. 15, 2nd Special Session 1963 (Acts 1963, p. 190) which provides additional compensation or salary for the Official Court Reporters in all Circuit Courts in certain counties classified on a population basis; and providing for the payment of said salary in certain counties classified on a population basis.

Also:

H. 2428. To amend the title and Section 1 of Act No. 122, H. 117, Special Session 1969 (Acts 1969, p. 192) which provides additional compensation for the official court reporters in all circuit courts and provides for the payment thereof in certain counties classified on a population basis.

Also:

H. 2429. To amend the title and Section 1 of Act No. 451, H. 995, Regular Session 1961 (Acts 1961, p. 492) which provides for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in certain counties classified on a population basis.

Also:

H. 2430. To amend Section 12 of Act No. 412, S. 261, Regular Session 1945 (Acts 1945, p. 647) as last amended, which provides for the adoption, selection, purchase, and distribution of textbooks for the public schools of Alabama in certain counties classified on a population basis.

Also:

H. 2431. To amend the title and Section 1 of Act No. 429, H. 934, regular Session 1961 (Acts 1961, P. 466) which authorizes the Governing body of the county to employ an administrative assistant, provides for the qualifications of said person, prescribes his duties and fixes his compensation in certain counties classified on a population basis.

Also:

H. 2432. To amend the title and Section 1 of Act No. 1019, S. 604, Regular Session 1961 (Acts 1961, p. 1598) which provides for the appointment, duties, qualifications, term, compensation and assistant of the coroner in certain counties classified on a population basis.

Also:

H. 2433. To amend the title and Section 1 of Act No. 767, H. 1472, Regular Session 1961 (Acts 1961, p. 1107) which relates to the operation of boards of equalization in certain counties classified on a population basis.

Also:

H. 2434. To amend the title and Section 1 of Act No. 146, H. 159, Special Session 1969 (Acts 1969, p. 210) which fixes an expense allowance of the County Commission in certain counties classified on a population basis.

Also:

H. 2435. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 180,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961 and October 20, 1969.

Also:

H. 2436. To amend the title and Section 1 of Act No. 203, H. 169, Special Session 1966 (Acts 1966, p. 230) which provides expense allowances for circuit court judges in certain counties classified on a population basis.

Also:

H. 2437. To amend the title and Section 1 of Act No. 112, H. 165, Special Session 1966 (Acts 1966, p. 142) which provides that the county governing body in regulating and providing for the use of voting machines may divide any voting precinct into territories, designate each territory a voting center at which qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center, prescribe the duties of such election officers, and fix their compensation in certain counties classified on a population basis.

Also:

H. 2438. To repeal Act No. 55, H. 155, approved September 30, 1965, 2nd Special Session 1965 (Acts 1965, p. 81), entitled "An Act to provide that the board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 250,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Seven Hundred and NO/100 (2,700.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Eighteen Hundred and NO/100 (1,800.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury."

Also:

H. 2439. To amend the title and Section 1 of Act No. 380, H. 939, Regular Session 1957 (Acts 1957, p. 508) as last amended which authorizes the county commission to pay pensions to certain former employees of the county in certain counties classified in a population basis.

Also:

H. 2440. To amend the title and Section 1 of Act No. 183, S. 181, Special Session 1966 (Acts 1966, p. 216) which fixes supplemental salaries and expense allowances of District Attorneys; to provide such supplemental salaries and expense allowances shall be paid from the General Fund in certain counties classified on a population basis.

Also:

H. 2441. To amend the title and Section 1 of Act No. 30, S. 103, Special Session 1966 (Acts 1966, p. 53) which provides for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate in certain counties classified on a population basis.

Also:

H. 2442. To repeal Act No. 258, H. 202, approved September 7, 1964, Special Session 1964 (Acts 1964, p. 356), entitled, "An Act To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act."

Also:

H. 2443. To repeal Act No. 516, H. 1025, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 617), entitled, "An Act To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict."

Also:

H. 2444. To repeal Act No. 1207, H. 1454, approved October 20, 1969, Regular Session 1969 (Acts 1969, p. 2248), entitled, "An Act To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of

registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act."

Also:

H. 2445. To amend the title and Section 1 of Act No. 116, S. 195, Regular Session 1957 (Acts 1957, p. 164) which provides for the appointment of bailiffs for the circuit courts; and to regulate their compensation and provide for the payment thereof in certain counties classified on a population basis.

Also:

H. 2446. To repeal Act No. 979, S. 396, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1557), entitled, "An Act to provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000 and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken."

Also:

H. 2447. To amend the title and Section 1 of Act No. 204, H. 399, Special Session 1966 (Acts 1966, p. 203) which fixes expense allowances of probate judges in certain counties classified on a population basis.

Also:

H. 2448. To amend the title and Section 1 of Act No. 52, S. 50, Special Session 1967 (Acts 1967, p. 89) which provides for an ambulance service either on a contract basis or by the establishment and operation of a non-profit service in certain counties classified on a population basis.

Also:

H. 1972. To authorize any county having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty-five (25) years, to provide office space or to pay the expenses of providing office space for a federal, state, county or municipal agency or certain public corporations.

Also:

H. 1829. To amend the title and Section 1 of Act No. 237, S. 459, Regular Session 1967 (Acts 1967, p. 613), which provides for additional compensation for registrars in certain counties classified on a population basis.

Also:

H. 1830. To amend the title and Section 1 of Act No. 417, H. 452, Special Session 1966 (Acts 1966, p. 562), which provides for compensation for members of the jury commission in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1602. To repeal Act No. 1005, S. 831, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1879) entitled, "An Act To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966."

Also:

H. 1603. To repeal Act No. 17, H. 14, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2617) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties."

Also:

H. 1604. To repeal Act No. 31, H. 46, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2653) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties."

Also:

H. 1605. To repeal Act No. 453, S. 443, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 986) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of said county."

Also:

H. 1606. To repeal Act No. 154, S. 122, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more

than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office."

Also:

H. 1607. To repeal Act No. 155, S. 123, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions."

Also:

H. 1608. To repeal Act No. 228, S. 140, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1831. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which provides for regulation of municipal elections in certain cities classified on a population basis.

Also:

H. 1832. To amend the title and Section 1 of Act No. 678, S. 879, Regular Session 1969 (Acts 1969, p. 1213), which provides for appropriation of funds for public buildings and furnishings in certain counties classified on a population basis.

Also:

H. 1833. To amend the title and Section 1 of Act No. 106, S. 52, Second Special Session 1965 (Acts 1965, p. 144), which provides for the taking of fish from public streams in certain counties classified on a population basis.

Also:

H. 1835. To amend the title and Section 1 of Act No. 79, S. 60, Special Session 1962 (Acts 1962, p. 101), which provides for the licensing of and regulating the operation of and hunting on privately owned hunting preserves in certain counties classified on a population basis.

Also:

H. 2364. To transfer the duties of the probate judge in the matter of redeeming lands sold in Shelby County for taxes as provided by Article 5, Chapter 14, Title 51, Code of Alabama 1945 as amended, to the tax collector.

Also:

H. 2365. To authorize the Clerk of the Law and Equity Court of Shelby County and any successor inferior court to remove and destroy certain court files after five years after final disposition of such cases and to excuse the Clerk of such court from making a final record in civil and criminal cases determined in such court.

Also:

H. 2512. To amend the title and Section 1 of Act No. 139, H. 136, Special Session 1962 (Acts 1962, p. 181), which fixes additional compensation and allowance of certain election officers in certain counties classified on a population basis.

Also:

H. 2513. To amend the title and Section 1 of Act No. 187, H. 242, First Special Session 1964 (Acts 1964, p. 253), which regulates the pay of members of the county board of equalization, and provides for the payment of additional compensation from the county treasury in certain counties classified on a population basis.

Also:

H. 2514. To amend the title and Section 1 of Act No. 186, H. 241, First Special Session 1964 (Acts 1964, p. 252), which regulates the pay of jurors in certain counties classified on a population basis.

Also:

H. 2515. To amend the title and Section 1 of Act No. 185, H. 240, First Special Session 1964 (Acts 1964, p. 252), which regulates further the compensation of the coroner and provides for a salary payable by the county in lieu of fees and allowances in certain counties classified on a population basis.

Also:

H. 2516. To amend the title and Section 1 of Act No. 712, H. 1214, Regular Session 1965 (Acts 1965, p. 1317), which provides expense allowances for members of the county board of equalization payable from the general funds of the county, gives the act retroactive effect, and repeals Act No. 187, Acts of Alabama 1964, page 253, in certain counties classified on a population basis.

Also:

H. 2517. To amend the title and Section 1 of Act No. 711, H. 998, Regular Session 1967 (Acts 1967, p. 1549), which provides authority to regulate, collect, and dispose of trash on and along public roads and highways; license owners of containers to place same on right-of-ways and to set, levy and collect a privilege license tax on applicants for such licenses; with limitation on use of license as defense evidence in certain criminal actions in certain counties classified on a population basis.

Also:

H. 2518. To amend the title and Section 1 of Act No. 814, H. 1234, Regular Session 1961 (Acts 1961, p. 1190), as last amended, which provides an expense allowance to members of the county commission or like governing body in certain counties classified on a population basis.

Also:

H. 2519. To amend the title and Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Also:

H. 2520. To repeal Act No. 15, H. 11, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2615), entitled, "An Act Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages."

Also:

H. 2521. To repeal Act No. 582, H. 963, approved August 29, 1961, Regular Session 1961 (Acts 1961, p. 688), entitled, "An Act To provide for the appointment of an additional deputy and for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census."

Also:

H. 2530. To amend the title and Section 1 of Act No. 700, H. 750, Regular Session 1965 (Acts 1965, p. 1301), as last amended, which provides for the regulation of the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken in certain counties classified on a population basis.

Also:

H. 2531. To amend the title and Section 1 of Act No. 285, H. 249, Regular Session 1965 (Acts 1965, p. 399), which provides for the payment of the expenses of the county or deputy solicitors in certain counties classified on a population basis.

Also:

H. 2532. To amend the title and Section 1 of Act No. 771, H. 1476, Regular Session 1961 (Acts 1961, p. 1110), which provides for the expenses of the county superintendent of education in certain counties classified on a population basis.

Also:

H. 2533. To amend the title and Section 1 of Act No. 387, H. 887, Regular Session 1963 (Acts 1963, p. 889), which provides for the payment of the ex officio fees of the clerks of the circuit court in certain counties classified on a population basis.

Also:

H. 2534. To amend the title and Section 1 of Act No. 830, H. 1091, Regular Session 1969 (Acts 1969, p. 1518), which provides for fixing the compensation of the county solicitor in certain counties classified on a population basis.

Also:

H. 2535. To amend the title and Section 1 of Act No. 770, H. 1475, Regular Session 1961 (Acts 1961, p. 1109), which provides for a clerk-hire allowance for the office of clerk of the circuit court in certain counties classified on a population basis.

Also:

H. 2536. To amend the title and Section 1 of Act No. 107, H. 182, Regular Session 1967 (Acts 1967, p. 139), which provides for insurance of county officers and employees, and their dependents in certain counties classified on a population basis, giving the Act retroactive effect.

Also:

H. 2537. To amend the title and Section 1 of Act No. 57, H. 221, Regular Session 1969 (Acts 1969, p. 351), which provides for the regulation of the salary of the county superintendent of education in certain counties classified on a population basis.

Also:

H. 2538. To amend the title and Section 1 of Act No. 286, H. 250, Regular Session 1965 (Acts 1965, p. 399), as last amended, which regulates the compensation of members of the County Board of Education in certain counties classified on a population basis.

Also:

H. 2560. To amend the title and Section 1 of Act No. 364, H. 729, Regular Session 1963 (Acts 1963, p. 864), which provides for compensation of jurors in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1537. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala.

Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Also:

H. 1419. Relating to Mobile County, authorizing the county governing body to appropriate and expend county funds for the purpose of paying certain expenses incurred by members of the auxiliary forces of the sheriff's department or by any members of a posse comitatus summoned by the sheriff to aid him in conserving the peace of the county.

Also:

H. 1971. Relating to Mobile County; to provide that any monies in the county public highway and traffic fund may be used to pay the salary of any deputy sheriff whose duties require him to patrol the public roads and highways of Mobile County; and to make provisions of this Act retroactive to January 1, 1967.

Also:

H. 2206. Relating to municipalities having populations of not less than 40,000 nor more than 45,000; to provide for the power to fine, punish, imprison, and sentence to hard labor, prisoners in city jails; to compensate prisoners sentenced to hard labor not to exceed two dollars for each day's service.

Also:

H. 2228. Relating to Chambers County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Chambers County.

Also:

H. 2309. To apply only to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; relieving the chief clerk of the probate judge of such counties of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent.

Also:

H. 2352. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing authorization for the superintendent of the Public School System in any such county to disburse funds for meals, travel, room and board as provided.

Also:

H. 796. To authorize the governing body of any county having a population of 500,000 or more, according to the last or any subsequent federal census, to use equipment and personnel of the county in improving, beautifying and preparing, any land in the county for public park purposes or recreational purposes, subject to the terms, conditions and restrictions prescribed in this Act.

Also:

H. 1076. To authorize and empower the County Commission, Board of Revenue or other governing body of all counties having a population of 600,000 or more according to the last or any subsequent decennial federal census, to authorize, approve and pay from the general funds of the county, all necessary and reasonable expenses incurred by the Judge of Probate and his chief assistants in attending conferences and instructional meetings of the Alabama Probate Judges Association and Continuing Legal Education Division of the University of Alabama.

Also:

H. 1214. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

H. 2667. To repeal Act No. 40, H. 63, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2662), entitled, "An Act to permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks."

Also:

H. 2668. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Also:

H. 2672. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

H. 2673. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1520. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), and as amended by Act No. 670, approved September 16, 1953 (General Acts of Legislature of Alabama, 1953, page 927).

Also:

H. 544. Relating to cities having a population of 300,000 or more according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Also:

H. 2243. To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the **Sanitary Sewer Board of the City of Arab** from operating within the annexed area; to provide a procedure for removing the limitation; and to establish the effective date of the act.

Also:

H. 1272. To amend Act No. 344 of the Regular Session of the Legislature of Alabama of 1969, authorizing any city of this State having a population of 300,000 or more, according to the last or any subsequent federal census to pay hospital bills, medical expenses and other expenses incurred by employees of said city in securing treatment of injuries sustained by the employees in line of duty.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bills Numbers 2210 and 2823 now pending in this Body.

RESPECTFULLY SUBMITTED,

HARRY L. PENNINGTON,
EXECUTIVE SECRETARY.

Done this 14th day of September, 1971.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

There are two House bills pending in this Body that need urgent attention. House Bill Number 2210 provides for holding a state-wide advisory referendum election concerning freedom of choice in the public schools. House Bill Number 2823 relates to the denial of admission of any child to a public school under certain conditions.

The freedom of choice concept is the only true and acceptable policy in keeping with the desires and wishes of the American people of every race, creed, color, national origin or religious beliefs. Parents have the inalienable duty and right to educate their children and should enjoy true freedom in the choice of their schools. Any other system of public education will inevitably be tied to sociological experimentations which have never worked and, in my opinion, will never work. I believe that "freedom of choice" in the selection of a school is so engrained in the hearts and minds of the American people that if a constitutional amendment on this subject was submitted to the people that it would be ratified by the States in much less time than the eighteen-year-old voting amendment.

I urge the Senate to pass and submit to the people of this State, House Bill Number 2210.

Just as important for your consideration is House Bill Number 2823. Schools have opened in every County in this State and in many instances are requiring massive busing of thousands of students from their homes and the schools they attended last year to strange and unfamiliar neighborhoods solely for the purpose of achieving racial balance and racial ratios. School attendance zones have been arbitrarily drawn to satisfy the whim and caprice of HEW and the Justice Department and molded into Federal court orders. This massive busing has absolutely no relation to quality education and has imposed, and is imposing, tremendous hardships on parents and children alike and has greatly increased the risks to the lives, health and safety of these children.

I strenuously urge you to immediately pass these pending bills.

RESPECTFULLY,

GEORGE C. WALLACE,
GOVERNOR OF ALABAMA.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Chesnut and Baker:

H. 2847. Relating to all counties having populations of not less than 15,400 nor more than 15,625, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

Also:

By Messrs. Baker and Chesnut:

H. 2848. Relating to all counties having population of not less than 41,750 nor more than 45,000; providing for compensation or salary of the register of the circuit courts of such counties.

Also:

By Messrs. Baker and Chesnut:

H. 2849. To apply only in counties having populations of not less than 41,750 nor more than 45,000; providing an expense allowance for judges of the county court in such counties.

Also:

By Messrs. Cross and Carter:

H. 2850. To further amend Act No. 101, H. 112, Special Session 1966, as last amended, an Act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Act No. 101, H. 112, Special Session 1966, as last amended, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Be It Enacted by the Legislature of Alabama:

Act No. 101, H. 112, Special Session 1966, an act regulating and providing for payment of the compensation of certain deputies of the sheriff of Lawrence County, is hereby amended to read as follows:

"Section 1. In Lawrence County, the chief deputy sheriff shall be entitled to a salary of not less than \$4,000 nor more than \$6,000 per annum, which salary shall be fixed and determined by the board of revenue, court of county commissioners, or other like governing body of the county.

"Section 2. The deputies of the sheriff other than the chief deputy whose compensation is payable by the county, not exceeding three in number, shall each be entitled to a salary of not less than \$4,000 nor more than \$5,700, which salaries shall be fixed and determined by the board of revenue, court of county commissioners, or other like governing body of the county.

"Section 3. The salaries of the chief deputy and other deputies shall be paid in whole or in part out of the county public highway and traffic fund or the county general fund, as the court of county commissioners, board of revenue, or other like governing body of the county may direct, in equal monthly installments, upon warrants drawn on the county treasury in the manner prescribed by law.

"Section 4. All laws or parts of laws which conflict with this Act are repealed.

"Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and Aug. 5, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 25, 1971.

LERUTH G. SLATON,
Notary 5-3-75.

Also:

By Messrs. Drake and St. John:

H. 2856. To amend further Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to further provide for the use of the proceeds of such taxes.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to further provide for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), as amended, an act relating to the Cullman County sales and use tax law, is amended further to read as follows:

"Section 7. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county, and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder. The net proceeds derived from the taxes levied by this Act shall be distributed as follows: The custodian of public school funds shall pay annually to the governing body of Cullman County and to the City of Cullman each the sum of \$12,500 which shall be payable at the rate of \$1,000 per month for eleven months and \$1,500

for the twelfth month. Funds payable to the county governing body shall be paid into the county general fund and funds payable to the City of Cullman shall be paid to the city treasurer. Such funds shall be kept separate and apart from other funds and shall be used exclusively for the purpose of promoting industrial development or for recreational purposes. Exclusive of the \$25,000 heretofore allocated to the county governing body of Cullman County and City of Cullman to be used for the purpose of promoting industrial development or for recreational purposes, the remaining proceeds shall be divided as follows: Sixty percent to the board of education of Cullman County and forty percent the City of Cullman payable on a monthly basis. The board of education's share of the proceeds shall be used exclusively for educational purposes, including transportation, capital outlay, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds other than that specifically allocated by this Act for the promotion of industrial development and for recreational purposes shall be used for general municipal purposes."

Section 2. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Cullman County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections or amendments to the Constitution, and shall be held on the same day as the next primary election of state and county officers next following final passage of this Act. Notice of the election shall be given by the judge of probate of Cullman County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the present distribution of the proceeds of the sales and use tax which is now divided equally between the County Board of Education and City of Cullman, instead of sixty percent to the county and forty percent to the city? Yes () No (). If a majority of the votes cast at the election are negative votes, this Act shall be in full force and effect immediately thereafter. If a majority of the votes cast are in the affirmative, the Act shall have no further effect. The judge of probate of Cullman County shall certify the results of the election as required by law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 5, Aug. 12, Aug. 19, and Aug. 26, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me Aug. 30, 1971.

CHARLOTTE MILLER,
Notary Public.

Also:

By Messrs. Lyons, Downing, Callahan, Stokes, Roberts and Nettles:

H. 2825. To amend Act No. 581, 1967 Regular Session of the Legislature to apply only in counties having populations of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, providing for appointment by the district attorney of a special medical assistant to aid him in the performance of his duties, and providing for payment of the compensation of such assistant from the general funds of the county.

Also:

By Messrs. Callahan, Collins, Therrell, Wood, Nettles, Downing and Perloff:

H. 2639. To amend further Act No. 345 S. 291, Regular Session 1955, an act applying only in counties having populations not less than 300,000 nor more than 500,000 and providing for a domestic relations division of the Circuit Court of any such county.

Also:

By Messrs. Stokes, Roberts, Downing, Therrell, Collins and Callahan:

H. 2763. Relating to counties having a population of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census; to provide that any fireman or other municipal employee employed by any municipality in such a county may live anywhere within the county so long as he is able to at all times reach the place of his employment within thirty minutes from the time he receives a call to report to duty.

Also:

By Mr. Kinsey:

H. 2860. Relating to counties having populations of not less than 57,000 nor more than 61,000; to require the county commission in any such county to provide not less than 10 deputy sheriffs, and to prescribe the compensation of such deputies.

Also:

By Messrs. Jones (F), Harris and Straiton:

H. 2828. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Sections 3, 4 and 5, Township 15N, Range 17E, and Sections 32, 33, 34 and 35, Township 16N, Range 17E, all in Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Sections 3, 4 and 5, Township 15 N, Range 17 E, and Sections 32, 33, 34 and 35, Township 16 N, Range 17 E, all in Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the following described boundaries, to-wit:

Beginning at the intersection of the westerly right of way line of the L & N Railroad and the half section line running east and west through Section 34, T16N, R17E; thence southerly along the said westerly right of way line of the L & N Railroad to the north line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Section 34; thence west along the north lines of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 34, 33 and 32, T16N, R17E, to the east right of way line of Brewer Road; thence southerly along the said east right of way line of Brewer Road to the northerly right of way line of U. S. Highway 80; thence easterly along the said northerly right of way of U. S. Highway 80 to the south line of Section 34, T16N, R17E; thence east along the south line of said Section 34 to the southeast corner thereof; thence east along the south line of Section 35, T16N, R17E to the westerly right of way line of Interstate Highway 65; thence northerly along the said Westerly right of way line of Interstate Highway 65 to the center line running east and west through said Section 34 and 35; thence westerly along the said center line of said Section 34 and 35 to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen F. Meads, a Notary Public in and for said County in said State, personally appeared Betty K. Shine, who is known to me and who first being by me duly sworn, doth on oath, depose and say: That she is Bookkeeper of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper pub-

lished in the City and County of Montgomery and State of Alabama, on the following dates: Aug. 5, 13, 19 and 26, 1971.

BETTY K. SHINE.

Sworn to and subscribed before me this the 26th day of August, 1971.

KATHLEEN F. MEADS,
Notary Public,
Montgomery County, Alabama.

Also:

By Messrs. Flippo and Hill:

H. 2839. To prohibit the City of Florence, or any agency thereof, from collecting outside the corporate limits of said city any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision; to provide that building code provisions may be enforced within the police jurisdiction of said city, but to limit the collection of all fees and charges therefor to the area within the corporate limits of the City of Florence.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the City of Florence, or any agency thereof, from collecting outside the corporate limits of said city any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision; to provide that building code provisions may be enforced within the police jurisdiction of said city, but to limit the collection of all fees and charges therefor to the area within the corporate limits of the City of Florence.

Be It Enacted by the Legislature of Alabama:

Section 1. Neither the City of Florence nor any agency thereof shall charge or collect outside the corporate limits of said city, any permit fees, inspection fees or any other fees with respect to the enforcement of provisions of any building code heretofore or hereafter adopted by said city.

Section 2. Nothing in this act shall be deemed to limit the enforcement of building code provisions within the police jurisdiction of the City of Florence, but no fees or charges of any kind whatsoever shall be collected for the enforcement thereof in any area which lies outside the corporate limits of said city. Such fees and charges may be collected within the corporate limits of the City of Florence.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Mr. McCorquodale:

H. 2645. To provide that in all public contracts the contractor may withdraw the whole or any portion of the amount retained from payments due the contractor by depositing security therefor; and for related matters.

Also:

By Messrs. Jones (F) and Harris:

H. 263. To provide for the participation of the State of Alabama in the Interstate Environmental Compact; to authorize the execution of agreements between this state and other states and the Federal Government; and to designate the rights and powers of signatories to the Compact.

Also:

By Messrs. Reed (T), Taylor, Straiton, Reid (R), Grey (D) and Goodwin:

H. 2242. To provide for an increase in salary for all capitol security officers, patrolmen, night watchmen and guards; to provide for an increase in salary for the Chief of Capitol Security and to make available all necessary equipment for the performance of their duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2847, 2848, 2849, 2850, 2856, 2639, 2763, 2860, 2828 and 2839.
To the Committee on Local Legislation No. 1.

H. B.'s 2645 and 2242. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 263. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Therrell, Wynot, Mims, Hearn, Bank, Robertson, Grey (D), Reid (R) and Downing:

H. 2209. To propose an amendment to the Constitution of Alabama relative to the effect of school laws and provisions of the Constitution relating to education in Mobile County.

Also:

By Messrs. Kinsey and Benton:

H. 2457. To provide an additional clerk hire allowance to be paid certain county officials in counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Also:

By Messrs. Cherner, Jones (E), Gloor, Boutwell and Wallace:

H. 1218. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of not less than 32,000 nor more than 34,000 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries: to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the planning, supervising and financing thereof: to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them: to provide when the Act shall become effective.

Also:

By Messrs. Cherner, Parker (H), Timmons and Gloore:

H. 2861. Relating to counties having populations of 600,000 or more; to authorize and make provisions for the organization and incorporation of Airport, Industrial Park, and Airport and Industrial Park Authorities as non profit public corporations for the promotion of aviation and the development and promotion of industry and commerce in such counties; to provide for the procedure, manner and conditions of organization and incorporation; to provide for the contents, execution and recording of certificates of incorporation; to provide that any such corporation shall be governed by a board of directors and to prescribe the number, terms, and manner of appointment of

its members; to prescribe the powers of such Authorities, including the right to exercise the powers of eminent domain and certain zoning powers; to provide for the financing of such Authorities and to require certain local funding as a prerequisite to incorporation; to authorize the issuance of revenue bonds, to specify the provisions thereof, to pledge certain revenues for their retirement and to authorize the refunding of said bonds; to exempt such bonds from all taxation; to provide for cooperation with political subdivisions, public corporations and agencies of this State; to authorize political subdivisions to invest in bonds of the Authority and to make such bonds legal investments for fiduciaries, savings bonds and insurance companies; to authorize the Authority to accept and expend federal and state moneys or funds from public or private sources for the purposes of this act; to exempt such Authorities from certain restrictions with respect to construction and purchasing contracts and zoning regulations; to require such Authorities to be audited annually; and to provide for the dissolution of any such Authority and the disposition of its property.

Also:

By Messrs. Grainger, Hearn, Hale, Lutz and King:

H. 2855. Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate authorities of any city in Madison County, and the Board of Commissioners of Madison County, may establish within the city, or within the county, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all necessary rules and regulations for the control and management thereof. The corporate authorities of any city or cities within the county and the Board of Commissioners may unite in the establishment of such ambulance service, if deemed expedient, making it common for the use of the city and of the county, and in making of rules and regulations for the control and management thereof, and shall jointly have the same powers and authority above conferred on each.

Section 2. The governing body of any such city or the county may appropriate public funds, employ such personnel, and purchase and maintain such equipment and other facilities to aid in maintaining

such service for benefit of the residents of the county and city and of citizens traveling within the county. Any ambulance service established under the provisions of this act may pick up or discharge patients beyond the boundaries of the city or county.

Section 3. The governing body of any such city or the county may by ordinance provide for operation of the ambulance service herein authorized and may authorize the service to charge and collect fees for services rendered, provided that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Gary Buckner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 3, August 9, and August 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me August 27, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. Hearn, Grainger, Lutz, King and Hale:

H. 2863. To amend Act No. 323, H. 828, 1959 Regular Session, pertaining to exemption of medical research facilities from building and zoning restrictions and other regulations in counties having a population of not less than 125,000 nor more than 225,000 according to the most recent federal decennial census so as to make the same applicable only to counties having populations of not less than 150,000 and not more than 180,000 according to the last or any subsequent decennial census.

Also:

By Messrs. Hale, Hearn, Lutz, Grainger and King:

H. 2864. To amend Act No. 591, H. 972, 1965 Regular Session, pertaining to probate recording systems in counties having a population

of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census, so as to make the same apply only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any federal decennial census.

Also:

By Messrs. Hale, Grainger, Lutz, King and Hearn:

H. 2865. To amend the title and Section 1 of Act 203, H. 169, 1966 Ex. Sess., pertaining to an expense allowance for circuit court judges in counties having a population of not less than 150,000 nor more than 300,000, according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000, and to counties having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Grainger, Hearn, Hale, King and Lutz:

H. 2866. To amend the title and Section 1 of Act No. 428, H. 933, of the 1961 Regular Session, pertaining to the establishment of a personnel system in counties having a population of not less than 150,000 nor more than 300,000 and for municipalities in such counties having a population of 5,000 or more people, according to the last or any federal decennial census, so as to make the same applicable only to counties having a population of not more than 150,000 nor less than 180,000 according to the last or any federal decennial census.

Also:

By Messrs. King, Hearn, Lutz, Grainger and Hale:

H. 2867. To amend the Title and Section 1 of Act 25, H. 47, 1962 Ex. Sess., p. 36, applying to the payment of benefits when employee is disabled or killed in counties having a population of 150,000 nor more than 300,000 according to the last or the 1960 or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Also:

By Messrs. King, Hearn, Grainger, Lutz and Hale:

H. 2868. To amend the title and Section 1 of Act No. 416, H. 917, 1955 Regular Session, approved September 9, 1955, pertaining to employees pensions in counties having a population of not less than 125,000 nor more than 225,000 according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Also:

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2869. To amend the title and Section 1 of Act No. 321, S. 344, 1955 Regular Session, approved August 30, 1955, pertaining to pension or retiring allowance plan for employees in counties having a population of not less than 125,000 nor more than 200,000 according to the

last or any subsequent federal decennial census so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent decennial census.

Also:

By Mr. Stubbs:

H. 2366. To amend Section 2 of Act No. 247, Acts of Alabama 1965, page 357, an Act to provide a Personnel Appeals Board for Shelby County, so as to further define the term "Employee" within the purview of such Act; and to specify that the name of the Shelby County governing body in said Act shall be, "Shelby County Commission."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 247, Acts of Alabama 1965, page 357, an Act to provide a Personnel Appeals Board for Shelby County, so as to further define the term "Employee" within the purview of such Act; and to specify that the name of the Shelby County governing body in said Act shall be, "Shelby County Commission."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2, Act No. 247, Acts of Alabama 1965, page 357 is hereby amended to read as follows:

"Section 2. For the purposes of this Act the following words and phrases shall have the following meaning:

"Personnel Appeals Board" herein after called the Board shall mean the Board created by this Act.

"County" shall mean Shelby County.

"Employee" shall mean any person regularly employed by an elected official or an appointed official or department head of Shelby County or who is otherwise employed by Shelby County and whose compensation is provided by appropriation by the Shelby County governing body; except that the word "employee" shall not include the chief deputy or the chief clerk or the first assistant of any elected county officer.

"Shelby County Commission" shall mean the existing county governing body or any such succeeding county governing body performing the function of the Shelby County Commission and wherever "Board of Revenue and Control" shall appear in Act No. 247, Acts of Alabama 1965, page 357 the same shall mean Shelby County Commission."

Section 3. Any law or parts of law in conflict with this Act are hereby repealed.

Section 4. The provisions of this Act shall become effective immediately upon the signature of the Governor or its otherwise becoming law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to-wit in issues thereof dated as follows: July 15, 22, 29 and Aug. 5, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 6th day of Aug., 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Messrs. Hale, Grainger, Lutz, King and Hearn:

H. 2870. To amend the title and Section 1 of Act No. 794, H. 1384, of the 1961 Regular Session, pertaining to the coroner in counties having a population of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census, so as to make the same applicable only to counties having a population of 150,000 nor more than 180,000 according to the last or any federal decennial census.

Also:

By Messrs. Reynolds and Goodwin:

H. 2648. To authorize counties having a population of not less than 45,500 nor more than 52,000, according to the most recent federal decennial census, to have such counties pay all expenses incurred by the Circuit Court Clerks and Registers in their respective State organizations.

Also:

By Messrs. Goodwin and Reynolds:

H. 2806. Relating to counties having populations of not less than 49,000 nor more than 51,000, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

By Messrs. Flippo and Hill:

H. 2837. Relating to the City of Florence, to declare the public policy of the city in regard to the extension of the zoning authority of that city by this Act, and to extend, alter, and rearrange certain of the boundaries of the zoning authority of the City of Florence so as to include within that authority a certain designated area.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Florence, to declare the public policy of the city in regard to the extension of the zoning authority of that city by this Act, and to extend, alter, and rearrange certain of the boundaries of the zoning authority of the City of Florence so as to include within that authority a certain designated area.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to the City of Florence; it shall be the public policy of the City of Florence to extend, alter and rearrange the boundaries of the zoning authority of that city to include the area described in Section 2 of this Act so that the Cox Creek Parkway shall hereby be protected and so that the orderly growth of the area will be insured and the safety of the traveling public will be enhanced.

Section 2. The City of Florence shall hereinafter have such authority as provided by law to enact zoning regulations for an area which is defined as:

All that land lying between the present Corporate Limits of the City of Florence, Lauderdale County, Alabama, and a line described as beginning at a point on the East line of Section 6, Township 3 South; Range 10 West, said Lauderdale County, and at a point on the present Corporate Limits, and run northwardly along the Section line to the centerline of Florence Boulevard (US Highway 43 & 72); run thence eastwardly along the centerline of said Florence Boulevard to the centerline of Middle Road; run thence northwardly along the centerline of Middle Road to a point 430 feet northwardly from the centerline of Hough Road; thence westwardly 430 feet northwardly from and parallel to the centerline of Hough Road to a point which is 520 feet eastwardly from the Centerline of Cox Creek Parkway (Alabama Highway Department Project S-1120-A); thence westwardly 520 feet northwardly from and parallel to centerline of said Parkway to east line of Section 26; Township 2 South, Range 11 West; thence westwardly 520 feet north of and parallel to south line said Section 26 to the Old Chisholm Road and present Corporate Limits.

ALSO, All the south one-half Section 27, Township 2 South, Range 11 West, between west line of said Section 27 and the present Corporate Limits;

ALSO, All Section 34, Township 2 South, Range 11 West, between the west line of said Section 34 and the present Corporate Limits;

ALSO, All that land between the present Corporate limits and a line described as beginning at a point of the west line of Section 34, Township 2 South, Range 11 West, 520 feet northwardly from the centerline of Cox Creek Parkway (Alabama State Highway Department Project S-1120-A), and run thence westwardly 520 feet northwardly from and parallel to the centerline of said Parkway and its extension

as same is now staked or as it shall later be staked and laid out, to a point 430 feet westwardly from the centerline of Savannah Road (Alabama Highway 20); thence southeastwardly 430 feet westwardly from and parallel to the centerline of said Savannah Road to the centerline of Cypress Creek and the present Corporate Limits.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flipppo:

H. 2838. Relating to Lauderdale County; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. No municipality, or any agency thereof, shall, within the police jurisdiction of any municipality in Lauderdale County, re-

quire that any electrical wiring, lines, pipes, tanks, plumbing, connections or any part of any facility for the use of electricity, water, gas or other utility shall be installed in any building by a craftsman or other person licensed by such municipality as a condition prerequisite to the initial or continued use of service provided by such utility. It shall be sufficient if all such installations are so performed as to meet the requirements prescribed by any building code adopted by such municipality and all other requirements as to the sufficiency of the installation prior to its use are hereby prohibited.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flippo:

H. 2840. Relating to Lauderdale County; to amend Section 19 of Act No. 27, H. 102, First Special Session 1964 (Acts 1964, p. 47), which Act abolishes the Lauderdale County Inferior Court and establishes in lieu thereof the Lauderdale County Court, by providing further for the manner of taking appeals from judgments of said county court to the circuit clerk.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; to amend Section 19 of Act No. 27, H. 102, First Special Session 1964 (Acts 1964, p. 47), which Act abolishes the Lauderdale County Inferior Court and establishes in lieu thereof the Lauderdale County Court, by providing further for the manner of taking appeals from judgments of said county court to the circuit clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 19 of Act No. 27, H. 102, First Special Session 1964 (Acts 1964, p. 47), is amended to read as follows:

"Section 19. Appeals may be had to the Circuit Court of Lauderdale County from judgments returned in the Lauderdale County Court in the same manner that appeals may be taken from judgments in the justice of the peace courts, and all provisions of law which apply to and govern appeals from justice of the peace courts shall also apply to and govern appeals from the Lauderdale County Court except if a defendant in a criminal case fails to appear in the Circuit Court to which the appeal was taken, when the case is called for trial, unless good cause is shown to the court for his absence or default, the court shall enter up a judgment of forfeiture on said appeal bond against the defendant and his sureties as is authorized or provided by law in criminal cases, and a new warrant of arrest may issue from the court without any other authority therefor, and the court may also, on motion of the District Attorney, or his assistant, where the prosecution is in the name of the state, or in the absence of such motion ex mero motu, dismiss such appeal. Upon the dismissal of such appeal, and by the fact of such dismissal of such appeal, the judgment of the Lauderdale County Court against the defendant shall be reinstated and become final and the clerk of the circuit court must notify the judge of the Lauderdale County Court of the judgment of the court dismissing such appeal; provided, however, that the Circuit Court to which said appeal was taken may, on motion of the defendant made within thirty days from the date of the order of dismissal, set aside such dismissal and reinstate such appeal on such terms as the court may prescribe, for good cause shown by the defendant for his absence or default. When such appeal has been dismissed, the court may at any time issue a warrant, and alias and pluries warrants, against the defendant, and the defendant may also be arrested without a warrant as an escape, and when so arrested, the defendant shall be delivered to the sheriff of Lauderdale County, Alabama, and punished in accordance with the original judgment of the Lauderdale County Court."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times

herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Flippo and Hill:

H. 2841. Relating to Lauderdale County; to provide for the Lauderdale County Commission to grant an exclusive franchise to private haulers of solid waste.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; to provide for the Lauderdale County Commission to grant an exclusive franchise to private haulers of solid waste.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Commission shall have the authority to enter into contracts with private haulers of solid wastes, whereby said private haulers shall have the authority, throughout the county or in districts or areas thereof, to collect and control and dispose of such solid wastes as are generated by the general public, businesses, institutions and industry.

Section 2. The Lauderdale County Commission shall have the authority to create and establish districts or areas for the purpose of collecting and controlling and disposing of such solid wastes, and the said County Commission shall be authorized to enter into contracts with private haulers for the exclusive right to haul in each district or area established or for the county as a whole.

Section 3. The haulers of said solid wastes shall, under the supervision of the Lauderdale County Commission, establish and charge and collect a fee for such services rendered by them in the collecting and controlling and disposing of such solid wastes.

Section 4. If the County Governing Body enters into a contract with a private hauler of solid wastes as is herein provided in Section 1 of this Act, the County Commission shall by ordinance forbid other haulers from operating in the district or area or county as a whole and proscribe that a violation of this Section shall be a misdemeanor.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flipppo:

H. 2842. Relating to Lauderdale County; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Lauderdale County is hereby authorized to charge a \$2.00 fee for celebrating the rites of matrimony and may retain said fee for his personal use. This fee is in addition to any salary provided for by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flippo:

H. 2843. To establish the "Municipal Court of the City of Florence, Alabama" which shall be subject to Chapter 12, Title 37, Code of Alabama 1940, (recompiled 1958) as last amended, except that no fine in excess of \$500.00 shall be assessed, and to abolish other courts of the City of Florence exercising the functions conferred upon said Municipal Court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish the "Municipal Court of the City of Florence, Alabama" which shall be subject to Chapter 12, Title 37, Code of Alabama 1940,

(recompiled 1958) as last amended, except that no fine in excess of \$500.00 shall be assessed, and to abolish other courts of the City of Florence exercising the functions conferred upon said Municipal Court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created for the City of Florence, Alabama the "Municipal Court of the City of Florence, Alabama." Said court shall be organized, administered, and operated, shall possess the powers, duties, and jurisdiction, and shall be subject to all the procedures, rules, and mandates contained in Chapter 12 of Title 37, Code of Alabama 1940, (recompiled 1958), as last amended, except that said Municipal Court shall not assess a fine in excess of five hundred dollars (\$500.00).

Section 2. Said Municipal Court shall be in lieu of any other court exercising the functions hereby conferred upon said Municipal Court, and any such other court is hereby abolished.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 9, August 16, August 23, and August 30, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me August 30, 1971.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires 12/13/72.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2209, 2457, 2855, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2366, 2870, 2648, 2806, 2837, 2838, 2840, 2841, 2842 and 2843. To the Committee on Local Legislation No. 1.

H. B.'s 1218 and 2861. To the Committee on Local Legislation No. 2.

(The above numbered Bill, H. B. 2209, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 786. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of at least seven hundred fifty thousand dollars, whose principal place of business is situated in counties having a population according to the 1970 or any subsequent decennial census of the United States of not less than 110,000 nor more than 150,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which the principal place of business of said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Also:

S. 1020. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Also:

S. 1208. Relating to all counties having a population of not less than 110,000 nor more than 160,000 according to the most recent or any subsequent decennial census: To regulate further the employment of a clerk for the jury commission; to provide for and regulate the employment, discharge, compensation and duties of such clerk; to provide that such clerk shall be employed by the judges of the circuit court of said respective county and he shall be paid out of the county treasury and furnished office space, equipment and supplies by the county governing body.

Also:

S. 782. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

Also:

S. 995. Relating to the Third Judicial Circuit; to provide for an additional expense allowance for the circuit court reporter of the Third Judicial Circuit.

Also:

S. 1125. Relating to Barbour County; providing for payment of salaries and expenses of sheriff's office relating to maintaining traffic control and law and order in County from Highway and Traffic Fund of Barbour County.

Also:

S. 1126. To amend Act No. 1174, H. 1047, Regular Session, 1969, so as to provide further for the appointment and compensation of deputies, jailors, and assistants of the sheriff of Barbour County and repeal conflicting laws.

Also:

S. 308. To further amend Section 257, Title 13, Code of Alabama 1940, as amended, which fixes the compensation of the deputy district attorney of certain counties.

Also:

S. 953. Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Also:

S. 1127. To provide for all monies in the public highway and traffic fund of Barbour County to be transferred to the general fund of the county; authorizing the transfer of certain monies hereafter accruing in said public highway and traffic fund to the general fund of said county, at the discretion of the county governing body and providing for the use of such monies so transferred.

Also:

S. 1128. To authorize the governing body of Barbour County to appropriate funds out of the county highway and traffic fund for expenses necessary for the construction and maintenance of roads.

Also:

S. 1129. Relating to Marshall County; providing for the operation of cemeteries; Requiring individuals, corporations, partnerships or governmental bodies which may now or at any future date own, lease, operate or maintain a cemetery in Marshall County.

Also:

S. 1148. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Also:

S. 1159. To repeal Act No. 111, S. 49, approved May 11, 1971, Special Session 1971, entitled, "An Act To prohibit commercial fishing in counties having populations of not less than 15,400 nor more than 15,625, except by residents and/or voters of such counties."

Also:

S. 1050. Relating to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances

which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 508. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Also:

S. 481. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

S. 315. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member bank of the Federal Reserve System, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt and Manley:

H. 2846. Relating to law enforcement in Sumter County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund; creating a fund to be designated as the Sheriff's Fund and providing for the use of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Sumter County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund; creating a fund to be designated as the Sheriff's Fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Sumter County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the Sheriff.

Section 2. One-half of all monies collected under Section 1 of this Act shall be deposited by the Sheriff of Sumter County, in any bank located in Sumter County, in a fund known as the Sheriff's Fund.

Section 3. That part remaining from all monies collected under Section 1 of this Act, shall be deposited in the general fund of Sumter County to be used for any purposes authorized by the county governing body of Sumter County.

Section 4. The Sheriff's Fund as provided in Section 2 of this Act shall be drawn upon by the Sheriff of Sumter County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit.

Section 5. The establishment of the Sheriff's Fund as provided in this Act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the Sheriff or the operation of his office.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared John S. Neel, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 4, Aug. 11, Aug. 18, and Aug. 25, all in the year 1971.

JOHN S. NEEL.

Sworn to and subscribed before me Aug. 27, 1971.

CARLTAN E. VAUGHAN,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee as follows:

H. B. 2846. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Headley:

H. J. R. 215. WHEREAS the President of the Public Service Commission, The Honorable Eugene Connor, has served with outstanding ability and dedication for many years; and

WHEREAS he served also as a valuable, courageous and dedicated public servant of Birmingham; and

WHEREAS he served with distinction and fortitude in this Legislature for many years; and

WHEREAS this outstanding public servant was born in Selma, near Alabama Highway 22, close by the mighty Mulberry Creek; now therefore,

BE IT RESOLVED BY THIS LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabama Highway 22 between Selma and Clanton be known as the "Bull Connor" Highway.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 215, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Meeks, Waggoner, Ellis, Erdreich, Dill, Timmons, Adwell, Weeks, Doss, Gafford, Wallace, Boutwell, Falkenburg, Parker (H), McBride, Jones (E), Cherner, Gloor and Boles:

H. J. R. 213. DEATH OF JUDGE WILLIAM L. LONGSHORE MOURNED

WHEREAS William L. Longshore, former lawyer, district attorney, circuit judge, and political leader in the State of Alabama, passed away in Birmingham on July 12, 1971 to the great loss and sorrow of his family and his host of friends throughout the state; and

WHEREAS Judge Longshore was universally esteemed and highly regarded for his decades of public service and his many contributions to the political, religious and civic affairs of Jefferson County and the State of Alabama; and

WHEREAS Judge Longshore served as chairman of the Jefferson County Republican Executive Committee for twenty years. He was a member of the American Legion, Knights of Pythias, Birmingham Bar Association, Alabama Bar Association, American Bar Association, and many other clubs and organizations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply mourn the death of Judge Longshore, and express our deepest and heartfelt sympathy to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the family of William L. Longshore.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 213, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Harris, Straiton, Jones (F), Taylor and Hobbie:

H. J. R. 204. COMMENDING THE 151st ARMY BAND ALABAMA NATIONAL GUARD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 204, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. May, Adams, Adwell, Agee, Baker, Bank, Barkett, Bassett, Benton, Boutwell, Brassell, Callahan, Carnes, Carter, Casey, Cherner, Chesnut, Collins, Connell, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Doss, Downing, Easters, Edwards, Ellis, Erdreich, Fite, Flippo, Gloor, Grainger, Grey (D), Hale, Hardin, Hearn, Hill, Jackson, King, Kinsey, Lang, Lutz, Lyons, McBride, McCluskey, McCorquodale, McDonald, Manley, Mathews, Merrill, Naramore, Nettles, O'Daniel, Owens, Parker (H), Parker (T), Perloff, Pruitt, Reed (T), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Therrell, Timmons, Turner, Waggoner, Waldrop, Wallace, Warren, Williams, Wise, Wood, Wynot:

H. J. R. 209. UNIVERSITY OF ALABAMA FOOTBALL TEAM COMMENDED

WHEREAS, the University of Alabama football team, "The Crimson Tide" did truly play an outstanding game in the Coliseum at Los Angeles on Friday night September 10, 1971; and

WHEREAS, this football team equipped with pure desire and brilliance did successfully defeat the University of Southern California, one of the nation's top ranked football teams, and thus placed themselves in line for national football honors; and

WHEREAS, this phenomenal feat was achieved under the brilliant and astute leadership of Coach Paul "Bear" Bryant who by this outstanding victory did place himself in the annals of football history by winning his 200th football encounter; and

WHEREAS, this legislature is still happy to know that Coach Bryant's "water wings" have not lost their buoyancy as he continues to walk up-stream over turbulent waters; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature extends its proud congratulations to the entire University of Alabama football team and all those involved in its endeavors.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Coach Bryant, the assistant coaches, and the players of the University of Alabama football team.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Foshee, the Rules were suspended and the Resolution, H. J. R. 209, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 102. Relative to—To establish a Joint Interim State Historic Resources Study Committee.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ellis, et al:

H. J. R. 211. REQUESTING LOCAL BOARDS OF EDUCATION NOT TO OVERLOAD SCHOOL BUSES.

WHEREAS the recent Federal Court decisions have increased the number of pupils that have to be bussed; and

WHEREAS increased bussing has caused more busses to be overloaded; and

WHEREAS overloaded busses endanger the health and safety of the pupils that most ride them; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That local boards of education shall enact and enforce appropriate regulations so as not to overload school busses to such an extent as to endanger the health and safety of the pupils or create a hazard to them in an emergency situation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dozier, the Rules were suspended and the Resolution, H. J. R. 211, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Agee:

H. J. R. 210. WHEREAS, people are increasingly dependent on trees for necessities and pleasures; and

WHEREAS, the forests of Alabama are currently meeting the leisure time needs of a growing population; and

WHEREAS, the same forests are filling the daily requirements of our population for housing and consumer production; and

WHEREAS, many more trees will be needed to meet these various demands and maintain the scenic quality of the landscape; and

WHEREAS, it is recognized that future demands on the forests by an expanding population can only be provided for by more efficient and intensive forest management; and

WHEREAS, it will require the best efforts of all interested groups and parties working together to provide legislative, financial and professional assistance to meet these needs:

NOW, THEREFORE, BE IT RESOLVED, by the Legislature of the State of Alabama that all groups representing interests which must be satisfied by the forests, work together to maximize effort and accomplishments in order to insure that our forests provide for the needs of Alabamians now and for future generations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 210, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

Messrs. Vacca, Bailes, Dominick, Cook, King, Hawkins and Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 107. WHEREAS, The deep cut on the recently completed Red Mountain Expressway is a rich geological treasure which authorities claim is of more value to them than the Grand Canyon of Arizona because its formations and fossils representing a geologic time span of more than 440 million years are exposed in full detail and in a concentrated area, it is of paramount importance that this cut be designated a National Geologic Monument.

NOW THEREFORE BE IT RESOLVED, That there is hereby created and established a state agency to be known as the Birmingham National Geological Monument Commission for the purpose of promoting state, national and international interest in the Red Mountain Cut and in providing for and participating in the management and control of facilities for the preservation and display of visual exhibits for scientific purposes and as a matter of interest to the general public, and to provide safe and accessible roadways, walkways, parks, rest areas, picnic areas, sanitary facilities, and all other facilities which the commission deems necessary or desirable. The commission is further authorized to acquire by purchase, lease, gift, devise, loan or otherwise any real or personal property to be used in fulfilling the purpose for which it is established or for any auxiliary purpose incidental or appropriate thereto. The commission may purchase advertising space in any publications and design, publish, mail or otherwise distribute brochures or pamphlets regarding the geological monument.

BE IT FURTHER RESOLVED, That the commission shall operate or provide for the operation of the park or geological site hereby provided for and any appurtenances thereto in such manner as to facilitate its exhibition to the public either with or without a charge. If the commission, in its discretion, decides that a charge is appropriate then the commission shall fix and provide for the collection of such charge or charges as it deems appropriate for admission to the park or geological site and for the use, viewing of or other enjoyment of exhibits and other facilities appurtenant to the park or geological site.

BE IT FURTHER RESOLVED, That the commission may enter into agreements with any civic organization, lay group or industrial, professional or governmental organization relative to the general management of the park or geological site. The commission is also specifically authorized to accept gratuitous services from individuals and organizations, and to employ such hostesses, guards, superintendents and other employees, as in its opinion, are needed for the operation and exhibition of such park or geological site.

BE IT FURTHER RESOLVED, That the commission shall be composed of sixteen members, one of whom shall be the State Geologist who shall serve throughout his term of office as State Geologist; two members shall be appointed by the board of trustees of the University of Alabama for terms of 8 years each; two members shall be appointed by the board of trustees of Auburn University for terms of 8 years each; two members shall be appointed by the Governor, one of whom shall serve for a term of 4 years and one for a term of 6 years and the Governor shall designate the length of the term each shall serve; nine members shall be appointed by the board of directors of the Birmingham Area Chamber of Commerce, three of whom shall serve for terms of two years each, three of whom shall serve for terms of four years each, and three of whom shall serve for terms of six years each. At the expiration of the terms of the members first appointed, their successors shall be appointed in the same manner and by the same appointing authority, except that all members shall serve for terms of eight years each. Vacancies on the board, during a term shall be filled for

the unexpired portion of the term in the same manner and by the same appointing authority as the member whose place is being filled.

BE IT FURTHER RESOLVED, That no member of the commission shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as a member of the commission. All such expenses shall be paid from the funds of the commission. Further, it shall be unlawful for any member of the commission or any employee thereof to charge, receive, or obtain, either directly or indirectly, any fee, commission, retainer or brokerage out of the funds of the commission, and no member of the commission or officer or employee thereof shall have any interest in any land, materials, or contracts sold to or made or negotiated with the commission, or with any member of employee thereof acting in his capacity as a member of such commission. Violation of any provision of this section shall be a misdemeanor and upon conviction shall be punishable by removal from membership or employment and by a fine of not less than \$100 or by imprisonment not to exceed six months, or both.

BE IT FURTHER RESOLVED, That the commission shall be a state agency and shall have exclusive control over the Birmingham cut site and the area appurtenant thereto; any area established hereunder; and all improvements and exhibits located thereon; and any additions constructed, created, leased, acquired or erected in connection therewith. Nothing in this act shall, however, be deemed to give the commission any authority whatsoever with respect to any state or interstate highway, or to any matter under the jurisdiction and control of the State Highway Department or the Bureau of Public Roads.

BE IT FURTHER RESOLVED, That the commission shall hold an annual meeting in the City of Birmingham. Eight members shall constitute a quorum for the transaction of business. Additional meetings may be held at such times and places within the State as may be necessary, desirable or convenient upon call of the chairman, or in the case of his absence or incapacity, of the vice-chairman, or on the call of any three members of the commission. The commission shall determine and establish its own organization and procedure in accordance with the provisions of this Act, and shall have an official seal. The commission shall elect its chairman, its vice-chairman, its secretary and its treasurer, and such officers shall hold office for a period of one year or until a successor is elected. Neither the secretary nor the treasurer need be members of the commission. The commission may require that the treasurer thereof be bonded in an amount to be determined by the commission.

BE IT FURTHER RESOLVED, That the commission shall constitute a body corporate and shall have, in addition to those set forth specifically in this Act, all powers necessary or convenient to effect the purposes for which it has been established under and by the terms of this Act, together with all powers incidental thereto or necessary to the discharge of its said powers and duties.

BE IT FURTHER RESOLVED, That this commission shall have a tax exempt status, and the properties of the commission and the income therefrom, all lease agreements and contracts made by it, all bonds issued by it and the coupons applicable thereto and the income therefrom and all indentures executed with respect thereto shall be forever exempt from any and all taxation by the State of Alabama and any political subdivision thereof, including, but not limited to, income, admission, amusement, excise and ad valorem taxes.

BE IT FURTHER RESOLVED, That the Commission is hereby authorized to borrow money and issue revenue bonds in evidence thereof;

but no such bonds shall be general obligations of the State of Alabama or any agency or any political subdivision thereof. Nor shall such commission pledge to the payment of any such loans any land, buildings, exhibits or other appurtenances thereto. It may, however, pledge to the repayment thereof the proceeds derived from admission fees or charges or other fees or charges made in connection with such park or geological site.

BE IT FURTHER RESOLVED, THAT the governing body of any county or of any municipality in this state shall be authorized, by resolution duly adopted and recorded, to appropriate any available public funds not otherwise pledged to the use of any such Commission.

NOW, THEREFORE BE IT RESOLVED, That the Birmingham National Geological Monument Commission is created.

On motion of Mr. Vacca, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 414. To provide a Uniform Alabama Controlled Substances Act for preventing drug abuse and drug dependence, to standardize all laws in this state to be in conformity with the new Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, and to repeal existing state statutes in conflict.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hawkins, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 414, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 414

Amend Section 401 (a) of Senate Bill 414, Article IV, by adding thereto the following sentence after the figures "25,000":

"Except any person who possesses any marihuana for his personal use only is guilty of a misdemeanor and upon conviction for the offense shall be imprisoned in the county jail for not more than one (1) year, and in addition, shall be fined not more than \$1,000.00; but the penalties for the subsequent offenses relating to possession of marihuana shall be the same as specified in the first sentence of this Section 401 (a)."

Amend S. 414 by adding to Section 201 thereof the following subsection to follow 201 (e):

(f) The State Board of Health shall exclude any non-narcotic substance from a schedule if such substance may, under the Federal Food, Drug and Cosmetic Act, the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, and the law of this state be lawfully sold over the county without a prescription.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Cooper	Hawkins	Malone	Vacca
Dominick	Horne	Noonan	Weaver
Dozier	Jones	Owen	Wilder
Edington	King		

—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1207. Relating to counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hammond, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1207, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 1207

**A BILL
TO BE ENTITLED
AN ACT**

Relating to counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, is hereby authorized to employ a clerk for the Board of Registrars of said counties with compensation to be paid to said clerk not to exceed \$1,000.00 annually and to be paid out of the general funds of said counties. It is further provided that the allowance paid to said clerk shall not exceed the total amount paid to the members of the Board of Registrars for each day's service and it is further provided that the allowance to be paid to the clerk be paid upon vouchers signed by said clerk and the chairman of the Board of Registrars and subscribed by the Probate Judge of said counties. The duties of said clerk and the days of work of said clerk shall be prescribed by the Board of Registrars.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 652. To authorize the use of beds in tuberculosis sanatoria or tuberculosis hospitals receiving a State subsidy for tuberculosis treatment for general or special hospital purposes after licensure therefor and when such beds are not needed for treatment of tuberculosis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 652, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 652

Amend Senate Bill 652, Section 1, line 6, by deleting "general or special hospital treatment not necessarily related to tuberculosis," and substituting therefor, "a hospital as defined in Title 22, Section 204(42), Code of Alabama Recompiled 1958, as the same is or may be amended,"

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cooper	Hammond	McLain	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (P):

H. 1953. To amend Act No. 799, H. 591 of the Regular Session of 1965 (Acts 1965, p. 1499), which authorized and provided for employment of interpreters when deaf persons or persons having defective speech are either parties to or legally summoned material witnesses in cases, suits, causes, actions or other proceedings, at law or in equity, in circuit courts or courts of record within the state, amending the title and section 1 of such act so as to provide for the employment of interpreters when deaf persons or persons having defective speech are party to or legally summoned material witnesses in any case, suit, cause, action or proceeding, at law or in equity, in any court of the state.

Also:

By Mr. Smith (P):

H. 1954. To provide for the appointment of qualified interpreters for deaf or mute persons or persons who do not speak or understand the English language in certain court proceedings and other instances.

Also:

By Messrs. Hill, Reynolds and Goodwin:

H. 1394. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such with knowledge that the sounds have been transferred thereon without the consent of the owner and to provide punishment therefor.

Also:

By Messrs. Ellis, Cauthen and Owens:

H. 1010. To prohibit parking, stopping or standing on interstate and limited access highways.

Also:

By Messrs. Ellis, Cauthen and Owens:

H. 1011. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, motor driven cycles, animal drawn vehicles and persons riding animals.

Also:

By Messrs. Downing, Stokes and Slate:

H. 866. To authorize and direct the Department of Pensions and Security to promulgate rules and regulations establishing a program or programs requiring all able-bodied persons drawing any benefits under any form of welfare program to participate in work programs whenever practical and possible.

Also:

By Messrs. Grainger, St. John, Hearn and Culver:

H. 392. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hear-

ing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; and to provide for penalties and punishment for violation of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1953, 1954, 1394, 1010, 1011, 866 and 392. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Connell:

H. 2573. To amend Act No. 265, Regular Session 1963 (Acts 1963, p. 696) which Act authorizes the incorporation of Airport Authorities, to provide for the number of members of the Board of Directors of such Authority, the manner in which they shall be elected and to provide for the term of office of the members of said Board of Directors, to authorize the acquisition by eminent domain, construction, installation, equipping, maintaining and operating sanitary and storm sewer systems, water, electric and gas systems, upon, adjacent to, in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area or manufacturing, industrial or retail shopping area owned or operated by the Authority, to provide for the employment of security guards by such Authorities, to authorize any county, city or other political subdivision, public corporation, agency or instrumentality of this State to furnish at the request of such Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or used in connection therewith by such Authority, to prohibit any county, city or town from requiring the payment of any tax or privilege license by any person, firm or corporation for the reasonable use of its public streets, roads or highways in going to or from any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of such Authority, and to validate all contracts entered into or legal actions heretofore instituted by any de facto or de jure Authority organized under said Act No. 265, Regular Session 1963.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2573. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stokes, Roberts, Downing, Nettles, Lyons, and Therrell:

H. 973. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the homeplace; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

Also:

By Messrs. Downing, Callahan, Lyons and Nettles:

H. 2638. To provide for the creation, incorporation and operation of the Marine Environmental Sciences Consortium; to state the purposes for which the consortium is to be organized and to define its powers; to provide for the member institutions, officers and directors of the consortium; and to grant to the governing boards of the member institutions the authority to make contributions to the consortium.

Also:

By Messrs. Mims, Connell, Crawford, Barkett, Reed (T), Lang, May, Warren, Kinsey, Wood and Adwell:

H. 992. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

Also:

By Messrs. Mims, Connell, Crawford, Barkett, Reed (T), Lang, May, Warren, Kinsey, Wood and Adwell:

H. 993. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

Also:

By Mr. Jones (F):

H. 2408. To amend the title and Section 1 of Act No. 145, H. 199, Special Session 1964 (Acts 1964, p. 212) which authorizes housing authorities incorporated under the provisions of the Code of Alabama 1940, where the employees of said housing authorities are subject to the provisions of the merit system to enter into a contract for the services of a director and assistant director and fix the compensation thereof; empowers said director and the assistant director to act as liaison personnel between the cities, the Regional Director and to negotiate with citizens affected by the overall plan of Urban Redevelopment; designates such other duties as may be provided in said contract in order to expedite Title I of the Federal Housing Act of 1949, as amended, provides that said contract shall be approved by the Regional Director in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 973, 2638, 992 and 993. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 2408. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 23. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

Also:

S. 483. To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof: fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Also:

S. 946. To amend further Code of Alabama, 1940, Title 37, Section 557, which relates to the payment of municipal assessments for public improvements, amending such section in relation to the rate of interest to be paid when such assessments are paid in installments and the rate of interest to be paid on delinquent installments.

Also:

S. 60. To amend Section 28 D, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a school at Camden (Wilcox County High School)" be changed to read "For the construction of a school or schools in Wilcox County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Also:

S. 48. To repeal Sections 21, 22, 23, and 25 of Title 13, Code of Alabama 1940 and Section 7 of Act 987, Regular Session, 1969, all of which relate to the submission of cases in the appellate courts of the state.

Also:

S. 345. To provide that psychiatric services rendered in state mental hospitals and facilities shall be compensable in any policy or contract of insurance covering psychiatric services.

Also:

S. 346. Relating to mental health; providing for the confidentiality of information, records, research data with mental health care delivery system; authorizing Commissioner of Mental Health to receive research data; prohibiting identification of persons and providing a penalty for violation.

Also:

S. 384. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

Also:

S. 383. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

Also:

S. 347. To amend Act No. 125, S. 86, Special Session 1909 (Acts 1909, p. 163), an act relating to the authority of a probate judge to expend monies in his charge for the support of minors or persons of unsound mind.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 212. To provide for payment of actual necessary travel expense of the State Treasurer and the Commissioner of Agriculture and Industries when traveling within the State of Alabama on business of the State.

Also:

S. 214. To amend Sections 8, 14, 26 and 36 (1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for

cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

Also:

S. 446. To make an appropriation to the Alabama State Board of Public Accountancy.

Also:

S. 42. To amend Section 28 G, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a high school at Fayette" be changed to read "For the construction of a school, schools, or other educational facilities in Fayette County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Also:

S. 154. To make appropriations from the Alabama Special Educational Trust Fund.

Also:

S. 79. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 108. TO FIX A DAY FOR HOLDING THE ELECTION ON CONSTITUTIONAL AMENDMENTS PROPOSED AT THE 1971 REGULAR SESSION OF THE LEGISLATURE.

WHEREAS several amendments to the Constitution of Alabama have been proposed during the current session of the Legislature, and the Acts or resolutions proposing such amendments have provided for the submission thereof at an election to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature; and

WHEREAS the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature will fall on December 28, a day in the midst of the usual Christmas holidays when many people will be away from their normal places of voting and therefore unable to vote on such date; and

WHEREAS the Justices of the Supreme Court of Alabama advised the Legislature on former occasions that there are no requirements of law as to the form that a legislative appointment of the day for an election must take, and that the designation of the day may be incorporated in the Act or resolution proposing the amendment or otherwise; and

WHEREAS there is no prohibition in law which prevents a re-designation of a day appointed for holding the election on the constitutional amendments proposed at this current session of the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon each of the amendments proposed during the current session of the Legislature which provided for the submission thereof at a special election to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature shall be held on the third Tuesday in January, 1972.

RESOLVED FURTHER That no election shall be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature on any amendments proposed during such current session though the Act or resolution proposing such amendment directs the holding of the election on such date; but instead such amendments shall be submitted at an election to be held as provided in the foregoing paragraph.

RESOLVED ALSO That notice of the election and of the proposed amendments shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham and Agee:

H. 609. To regulate the practice of Landscape Architecture; to provide for the registration of qualified persons as professional Landscape Architects; to create a State Board of Registration for Professional Landscape Architects; to provide for the appointment and compensation of its members; to fix the term of members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish fees with expiration and renewal requirements; and to provide for the enforcement of this Act and penalties for its violation; and to repeal conflicting laws.

Also:

By Mr. Drake:

H. 2708. To amend Title 55, Section 356 of the Code of Alabama 1940, so as to provide that the licenses and permits required by the provisions of this Chapter of the Code shall be the only licenses and permits required by the State of Alabama or any county thereof for wrestling or boxing exhibitions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 609 and 2708. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Collins:

H. J. R. 217. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY S. J. R. 97, Act No. 382, APPROVED September 5, 1967, and CONTINUED BY S. J. R. 101, Act No. 1046 APPROVED September 12, 1969, TO STUDY THE PROBLEMS OF INTERSTATE and INTRASTATE HIGHWAY SAFETY GENERALLY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to S. J. R. 97, Act No. 382, approved September 5, 1967 and continued by S. J. R. 101, Act No. 1046 approved September 12, 1969, shall continue in existence and shall continue its work as directed in said Act No. 382. The committee shall make a report to the legislature before the 10th legislative day of the next regular session.

BE IT FURTHER RESOLVED, That the committee members shall be entitled to their usual legislative per diem and expenses for attending meetings of the committee which shall be paid from funds appropriated for the payment of the expenses of the legislature and that in no event shall this resolution carry an appropriation of more than \$10,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 217, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jackson:

H. J. R. 216. CONGRATULATING REPRESENTATIVE AND MRS. FRED BARKETT ON THEIR RECENT MARRIAGE

WHEREAS on September 8, of this year, our esteemed colleague Fred Barkett exchanged the glorious freedom of bachelorhood for the sweet bonds of Holy Matrimony; and

WHEREAS from this time forth he shall tread the path of connubial harmony with Anice Cameron Camp of Pensacola, Florida; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends a sincere and hearty welcome to the latest and loveliest addition to its distaff ranks,

BE IT FURTHER RESOLVED, that we wish Fred and Anice long life and happiness together, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the families of Fred and Anice.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 216, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 218. WHEREAS, James W. and Virginia H. Goodwin have been loyal and devoted supporters of Auburn University for many years, contributing to the enrichment of the institution in many ways; and

WHEREAS, this devotion has been demonstrated by a recent gift which will enable the construction of a much-needed facility to house the University's 200-member band; and

WHEREAS, this outstanding act of philanthropy will add immeasurably to the morale and excellence of the University band as it makes its contribution to the thousands of persons who hear it each year; and

WHEREAS, Mr. Goodwin, who was a civil engineering graduate of Auburn University in the class of 1927, is a life member of the Auburn Alumni Association; and

WHEREAS, the Auburn University Board of Trustees has unanimously recommended the naming of this important facility for Mr. and Mrs. Goodwin, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in recognition of the Goodwin's outstanding loyalty and dedication to Auburn University and the people of Alabama, that this building be designated, named and known as the Goodwin Building.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. and Mrs. Goodwin and their daughter, Joy Elizabeth, so that they may know of this tribute to them.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Horne, the Rules were suspended and the Resolution, H. J. R. 218, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Dill:

H. J. R. 214. CREATING A JOINT INTERIM COMMITTEE TO STUDY COLLECTIVE BARGAINING BY ALL STATE, COUNTY, AND MUNICIPAL EMPLOYEES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Committee to study collective bargaining by all state, county, and municipal employees, etc., of the State of Alabama.

The committee shall consist of four persons who shall be members of the House to be appointed by the Speaker of the House; and three persons who shall be members of the Senate to be appointed by the Lieutenant Governor. The Speaker of the House and the Lieutenant Governor shall be ex-officio members.

The expenses of this committee shall be paid out of funds appropriated to the use of the legislature, and all members shall receive their regular pay and expense allowances,

provided that the maximum expenditures allowed herein shall not exceed the sum of \$10,000.

BE IT FURTHER RESOLVED, That the committee shall elect one of its members as chairman and shall meet at his call, four members constituting a quorum.

The committee shall prepare and submit a report of the facts compiled to the full House and Senate not later than the tenth legislative day of the next regular session of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 214, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 261. To create a continuing women's commission; providing for the operation of such commission; providing for its compensation; defining its duties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 324. To amend Act No. 755, H. 49, Regular Session 1967, approved September 8, 1967 (Acts, 1967, p. 1609) which relates to supernumerary tax collectors, tax assessors, license commissioners, or other elected officials charged with the assessment and/or collection of ad valorem taxes in the various counties of the State; amending such Act relative to the required prior service, and to prescribe repayment of contributions in certain instances.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1851. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2308. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; relieving the probate judge of all duties with respect to the county governing body; and fixing the compensation of the commissioners.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 39. To amend Section 38 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the method of obtaining and cost of resident state fishing licenses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 45. To amend further Title 2, Section 660, Code of Alabama, 1940, as last amended, to increase the number of appointive members on the State Soil and Water Conservation Committee from three appointive members to six such members who are soil and water conservation district supervisors, and to provide that no more than one supervisor member may be appointed from each of the six geographical areas of soil and water conservation districts, as created under Section 661, Title 2 of the Code of Alabama, 1940; and to provide for the maximum annual compensation of the administrative officer of the state soil and water conservation committee.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 37. To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2062. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, so as to increase the rate of the tax levied in said act to eight cents per gallon.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2317. To amend Section 11 of Act No. 674 of the 1961 Regular Session of the Legislature so as to increase the fee charged for an in-

spection marker for motor vehicles and to provide for the disposition of the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1018. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McLain, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1018, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 1018

Amend S. B. 1018 by striking Section 2 and adding in lieu thereof the following:

"Section 2: In addition to the fee to be collected by the Probate Judge as set forth in the preceding section of this Act, the County Commission, Board of Revenue, or like governing body of the county may impose an additional fee not to exceed two (\$2.00) Dollars for filing for record or for recording every contract, deed, real estate mortgage, plat, marriage license, official bond, bond of personal representative such as executor or and administrator, decree appointing guardians of minors or persons of unsound mind, or charter to a private corporation. Under no circumstances may the total fee imposed hereunder exceed three (\$3.00) Dollars."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register
Clark	Hammond	Littleton	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 250. To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

And the Speaker of the House has named as Conferees on the part of the House Messrs. Warren, Bassett and Bank.

JOHN W. PEMBERTON,
Clerk.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cook, further consideration of the bill, H. B. 49, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 732. To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the Standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971-72 and 1972-73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	Lindsey	Pelham
Branyon	Fine	Littleton	Pierce
Carr	Foshee	Lybrand	Register
Clark	Gilmore	McLain	Shelby
Cook	Givhan	Malone	Vacca
Cooper	Hammond	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder

—31

Nays:

—0

The Bill:

H. 143. To regulate the rate of compensation by manufacturers of motor vehicles for warranty work performed by said manufacturers' dealers or representatives; and to provide penalties for violations.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 143, to-wit:

AMENDMENT TO H. B. 143

Amend H. B. 143, Section 1, line 4, by deleting the word "incidental".

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Register
Cooper	Harris	McLain	Vacca
Dominick	Hawkins	Malone	Weaver
Dozier	Horne	Noonan	Wilder
Edington	Jones	O'Bannon	Wilson

—31

Nays:

—0

Mr. Foshee offered the following amendment to the Bill, H. B. 143, as amended, to-wit:

AMENDMENT TO H. B. 143.

Amend Section 1 by deleting therefrom the following:

"Nor shall said manufacturer of motor vehicles, distributor, distributor branch or factory branch pay its dealer or representative for a lesser amount of time, or said franchised dealer or representative charge its manufacturer, distributor, distributor branch or factory branch for a greater amount of time, than was actually spent on such factory warranty agreements by said dealer or representative.

"This section shall be construed as covering diagnostic work performed prior to, but as a necessary preliminary to, such factory warranty agreements."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon
Bailes	Fine	Jones	Owen
Branyon	Foshee	King	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier			

—32

Nays:

—0

And said Bill, H. B. 143, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones	Owen		—30

Nays:

—0

The Bill:

S. 545. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation.

was taken up.

Mr. Wilson offered the following substitute for the Bill, S. B. 545, to-wit:

SUBSTITUTE FOR S. B. 545

A BILL TO BE ENTITLED AN ACT

To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation; so as to strengthen grading requirements of affected land.

Be It Enacted by the Legislature of Alabama:

Section 1. Section VII of Act No. 399, 1969 Acts of Alabama (p. 773) is amended to read as follows:

SECTION VII

DUTIES OF OPERATOR

A. Every operator to whom a permit is issued pursuant to the provisions of this Act and who engages in surface mining on lands described in such permit shall:

1. Submit to the Department no later than ninety (90) days after expiration of the permit period a map or aerial photograph showing the location of the surface mining operation conducted during the permit period by section, township, range, and county, with such other description as will identify the land upon which the operator has conducted surface mining during such permit period and with a legend upon such map or aerial photograph showing the number of acres of affected land and the reclamation to be made in accordance with this section.

2. Carry on grading of affected land to reduce peaks and ridges to a rolling topography by working any ridges of removed overburden by grading the same to a width of at least fifteen (15) feet at the top and working peaks created by the operator's surface mining operation by grading the same at the top to a minimum of twenty (20) feet in width.

3. Cover the face of any toxic material left exposed by operator's surface mining operation in the bottom of the pit with overburden material to a distance of at least two (2) feet above the deposits being surface mined, or by a permanent water impoundment.

4. Divert water from the mining operation in a manner designed to minimize stream pollution by acid drainage or by avoidable siltation during the surface mining, or during any drift or auger mining following such surface mining, and in a manner designed to reduce erosion or other damage to streams, natural water courses and impoundments.

5. Act in accordance with regulations under the present enforcement of the Department (Basic Industrial Safety Manual of the State of Alabama, January 18, 1962; Coal Mining Laws of the State of Alabama, 1960; Mine Safety Rules of the State of Alabama, December 15, 1962; Open Pit and Quarry Safety Rules of the State of Alabama, January 10, 1963; including any subsequent revisions and amendments) where explosives are used for blasting in connection with surface mining in the neighborhood of any public highway, stream of water, dwelling house, public building, school, church, commercial or institutional building or pipe line.

B. In addition to the requirements set forth in Subsection A of this section, the operator shall, as a minimum, plant tree-planting stock on or direct-seed the affected land with seed or seedlings of native commercial species. Where the operator elects to plant tree-planting stock on all or a portion of the affected land, the planting shall be carried out based on a spacing of ten (10) feet, approximately 435 trees per acre; and planting methods shall be governed by the good planting practices. Where the operator elects to direct-seed all or a portion of the affected land, the direct-seeding shall be so conducted as to result in establishment, one year after the sowing, of between 400 and 450 tree seedlings per acre. In the event direct-seeding does not result in establishment within one year of between 400 and 450 tree seedlings per acre, the operator shall thereupon conduct such additional seeding or planting as is necessary to result in establishment of 400 to 450 tree seedlings per acre. All seeds to be sown by direct-seeding shall be treated with bird and rodent repellent. No operator shall be required, however, to:

1. Make planting, seeding, or in any other way revegetate affected land used by the operator for the deposit or disposal of refuse or within depressed haulage roads or final cuts or other areas where pools or lakes may be formed by rainfall, drainage runoff, or otherwise.

2. Make planting, seeding, or in any other way revegetate affected land so long as the chemical and physical characteristics of the soil of such affected land are toxic, deficient in plant nutrients, composed of sand, gravel, shale, or stone, to such extent as to seriously inhibit plant growth. Where natural weathering and leaching of any such affected land over a period of ten (10) years from expiration of the permit period fail to remove the toxic and physical characteristics inhibiting to plant growth, or at any time after three (3) years from the expiration of the permit period the Department determines that any of such affected land is and during the remainder of said ten (10) year period will be unplantable, the operator shall be relieved of all obligations under the provisions of this Act with respect to such affected lands.

3. Make planting or seeding until sufficient planting stock or seeds of desired tree species are available from the State or elsewhere.

C. An operator with the legal title or right may construct dams of earth or other materials in cuts of all operations where lakes may be formed, and cause lakes to be formed, provided that the formation of said lakes will not interfere with underground or other mining operations or cause damage to adjoining property.

D. On all affected land which is to be reforested, the operator shall construct fire lanes or access roads, which fire lanes or access roads shall be not less than twelve (12) feet in width and not more than one-fourth ($\frac{1}{4}$) section apart at their nearest point. Where such fire lanes and access roads are adjacent to public roads or highways, said fire lanes and access roads shall be constructed so as to be just inside the boundary of such reforested area.

E. In substitution for the grading and revegetation requirements set forth in Subsections A and B of this section, the operator may elect to reclaim the land for range, agricultural or horticultural, homesite, recreational, industrial, or commercial use; but no such election shall result in grading to a lesser extent than set forth in Subsection A of this section. The revegetation or other requirements applicable to such range, agricultural or horticultural, homesite, recreational, industrial or commercial use shall be in accordance with rules or regulations prescribed by the Department.

F. With the approval of the Department, the operator may substitute for all or any part of the affected land to be reclaimed an equal number of acres of land previously mined and not reclaimed. If any area is so substituted, the operator shall submit a map or aerial photograph of the substituted area, which map or aerial photograph shall conform to all the requirements with respect to other maps or aerial photographs required to be submitted under this section. The operator shall be relieved of all obligations under this Act with respect to the land for which substitution has been permitted and shall reclaim the substituted land.

G. The operator shall complete the reclamation of all affected land within one (1) year from the date of expiration of the permit period or within a period of not more than three (3) years at the discretion of the Director, except as Subsection B-2 of this section may permit an additional period within which to complete reclamation.

Section 2. The provisions of this amendment shall not alter nor repeal or affect in any manner the Surface Mining Act of 1969 concerning the surface mining of clay, sand, and gravel.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Givhan	Littleton	Pelham	
Bailes	Hammond	Lybrand	Pierce	
Branyon	Harris	McLain	Register	
Carr	Hawkins	Malone	Vacca	
Clark	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Gilmore				—28

Nay: Mr. Fine —1

And said Bill, S. B. 545, as amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Pierce	
Carr	Harris	Lybrand	Register	
Clark	Hawkins	McLain	Shelby	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier				—28

Nay: Mr. Fine —1

The Bill:

S. 546. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

was taken up.

Mr. Wilson offered the following substitute for the Bill, S. B. 546, to-wit:

SUBSTITUTE FOR S. B. 546

A BILL
TO BE ENTITLED
AN ACT

To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

Be It Enacted by the Legislature of Alabama:

Section 1. Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773) is amended to read as follows:

SECTION VIII

ENTRY UPON LANDS FOR INSPECTION

Inspectors of the Department may enter upon the lands of a landowner at any reasonable time for the purpose of inspection to determine whether the provisions of this Act have been complied with. After such inspection the inspector shall have the authority to order the immediate stopping of any operation that is started by an operator without a permit.

Section 2. The provisions of this amendment shall not alter nor repeal or affect in any manner the Surface Mining Act of 1969 concerning the surface mining of clay, sand, and gravel.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Carr	Givhan	McLain	Register
Clark	Hawkins	Malone	Shelby
Cooper	Jones	Noonan	Vacca
Dominick	King	O'Bannon	Wilder
Dozier	Lindsey	Owen	Wilson

—27

Nay: Mr. Fine

—1

And said Bill, S. B. 546, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Carr	Givhan	Lybrand	Pierce
Cook	Hammond	McLain	Register
Cooper	Hawkins	Malone	Wilder
Dominick	Horne	Noonan	Wilson
Dozier	Jones	O'Bannon	

—26

Nays:

—0

The Bill:

S. 547. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

was taken up.

Mr. Wilson offered the following substitute for the Bill, S. B. 547, to-wit:

SUBSTITUTE FOR S. B. 547

A BILL TO BE ENTITLED AN ACT

To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

Be It Enacted by the Legislature of Alabama:

Section 1. Section V of Act No. 399, 1969 Acts of Alabama (p. 773) is amended to read as follows:

SECTION V

APPLICATION FOR AND RECEIPT OF PERMIT

Any operator desiring a permit shall file an application with the Department upon a form furnished by the Department, which form shall contain:

A. A brief description of the tract or tracts of land and the estimated number of acres thereof to be affected by the applicant's surface mining thereon during the permit period. The description shall include the section, township, range, and county in which the land is located and shall otherwise describe the land with sufficient clarity so that it may be located and distinguished from other lands. The description shall also include a description of access to the area from the nearest public highway.

B. A statement by the applicant that applicant has the right and power by legal estate owned to mine by surface mining the land so described. Such statement shall set forth by reference the source of applicant's right and power to so mine.

C. A statement as to whether the applicant or any person, partnership, or corporation associated with the applicant holds or has held any other permits under this Act, and an identification of such permits.

D. The post office address of the applicant.

E. A statement by the applicant of the manner in which the applicant intends to conduct reclamation of the affected land.

Such application shall be accompanied by a bond or security meeting the requirements of Section IX of this Act and a filing fee of Two Hundred Fifty Dollars (\$250) plus Five Dollars (\$5) per acre on the estimated number of acres to be surface mined thereon during the permit period. Upon receipt by the Department of such application, bond, or security, and fee due from the operator, the Department shall, within ten (10) days, either approve said application or notify the operator in writing stating in detail the reason for not approving the application. The action on the part of the Department in failing to grant any permit may be appealed as provided for in Section X. Approval of application shall entitle the applicant to immediately engage in surface mining on the land described in the application for a period of one year from the date of issuance of said permit.

F. If the Director finds that any part of the operation would constitute a hazard to a dwelling house, public building, school, church, cemetery, commercial or institutional building, public road, stream, lake or other public property, the Director shall delete such part of the land from the area for which the permit is granted.

G. The Director shall not give approval to surface mining where any of the affected area would be within a horizontal distance of one hundred (100) feet of any river, or within a reasonable area next to and near any stream where surface mining would adversely affect the flow and quality of the given stream, or within three hundred (300) feet of any lake not owned or completely controlled by the operator or public property, excepting roads and highway rights-of-way, and shall not approve the application for a permit where the surface mining operation would adversely affect any existing or officially proposed and publicly owned or dedicated to public use county, state, national, or interstate park, forest, river, recreational area, or nationally owned area.

H. The Department shall not issue any additional permits to any operator who has been adjudicated to be in violation of this Act until the provisions of this Act have been fully complied with.

Section 2. The provisions of this amendment shall not alter nor repeal or affect in any manner the Surface Mining Act of 1969 concerning the surface mining of clay, sand, and gravel.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Noonan
Bailes	Gilmore	Lindsey	O'Bannon
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Vacca
Cooper	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

—0

And said Bill, S. B. 547, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Gilmore	Lindsey	Owen
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Vacca
Cooper	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones	Noonan	

—26

Nays:

—0

The Bill:

S. 548. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any citizen of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

was taken up.

Mr. Wilson offered the following substitute for the Bill, S. B. 548, to-wit:

SUBSTITUTE FOR S. B. 548

A BILL
TO BE ENTITLED
AN ACT

To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any citizen of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

Be It Enacted by the Legislature of Alabama:

Section 1. Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) is amended to read as follows:

SECTION XI

VIOLATIONS, LEGAL REMEDIES, ENFORCEMENT PROCEEDINGS,
AND PENALTIES

A. Should the Director determine that any final order or determination made by him, not then the subject of judicial review, is being violated by any operator, then the Director may cause to have instituted a civil action in any court of competent jurisdiction to forfeit the bond of the operator as to land affected by the operator's violation of this Act or for injunctive or other appropriate relief to prevent any further or continued violation of such final order or determination. In addition to forfeiture of said bond the court shall also levy a fine of up to Five Thousand Dollars (\$5,000) for each day said operator continues to fail to comply with said final order or determination.

B. Any person required by this Act to have a permit who engages in surface mining without a valid permit to do so as prescribed by this Act and, upon complaint made by the Director in a court of competent jurisdiction and conviction thereof, shall be fined not less than Two Thousand Dollars (\$2,000) nor more than Five Thousand Dollars (\$5,000) for each day it is determined that said operator engages in surface mining without a permit and shall be required to post a bond or surety as provided in Section VII of this Act and to reclaim the affected land, resulting from the operator's surface mining without a permit in accordance with the requirements of Section VII of this Act.

C. Any person who willfully misrepresents any fact or willfully gives false information in any application or report under this Act shall be fined not less than One Thousand Dollars (\$1,000) nor more than Five Thousand Dollars (\$5,000) for each offense.

D. The parties shall have all rights of exception and appeal.

E. Any citizen of this State having knowledge that any of the provisions of this Act are willfully and deliberately not being enforced by any public officer or employee whose duty it is to enforce any of the provisions of this act, shall bring such failure to enforce the law to

the attention of such public officer or employee. The provide against unreasonable and irresponsible demands being made, all such demands to enforce the law must be in writing, under oath, with facts set forth specifically stating the nature of the failure to enforce the law. The stating of false facts and charges in such affidavit shall constitute a perjury and shall subject the affiant to penalties prescribed under the law for perjury. If such public officer or employee neglects or refuses for an unreasonable time after demand to enforce such provision, any such citizen shall have the right to bring an action of mandamus in the court of common pleas of the county in which the operation which relates to the alleged lack of enforcement is being conducted. The court, if satisfied that any provision of this act is not being enforced, may make an appropriate order compelling the public officer or employee, whose duty it is to enforce such provision, to perform his duties, and upon failure to do so such public officer or employee shall be held in contempt of court and shall be subject to the penalties provided by the laws of the State in such cases.

Section 2. The provisions of this amendment shall not alter nor repeal or affect in any manner the Surface Mining Act of 1969 concerning the surface mining of clay, sand, and gravel.

Section 3. The provisions of this Act are severable; and if any part, subsection, clause, paragraph or phrase of this Act shall be adjudged to be invalid or unconstitutional, such judgment shall not affect, impair, or invalidate the remainder of this Act.

Section 4. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Dozier	Horne	Malone
Bailes	Edington	Jones	Noonan
Carr	Gilmore	King	O'Bannon
Clark	Givhan	Lindsey	Owen
Cook	Hammond	Littleton	Pelham
Cooper	Harris	Lybrand	Register
Dominick	Hawkins	McLain	Wilson

—27

Nay: Mr. Fine

—1

And said Bill, S. B. 548, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Dozier	Horne	Malone
Bailes	Edington	Jones	Noonan
Branyon	Gilmore	King	O'Bannon
Carr	Givhan	Lindsey	Pelham
Clark	Hammond	Littleton	Register
Cooper	Harris	Lybrand	Vacca
Dominick	Hawkins	McLain	Wilson

—27

Nay: Mr. Fine

—1

The Bill:

S. 549. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

was taken up.

Mr. Wilson offered the following substitute for the Bill, S. B. 549, to-wit:

SUBSTITUTE FOR S. B. 549

A BILL TO BE ENTITLED AN ACT

To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

Be It Enacted by the Legislature of Alabama:

Section 1. Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) is amended to read as follows:

SECTION IX

BOND OF OPERATOR, AMOUNT, SUFFICIENCY OF SURETY, CUSTODY, SUBSTITUTIONS, RELEASE OR REDUCTION OF NOTICE OF COMPLETION OF RECLAMATION, INSPECTION TO BE BY REGISTERED FORESTER, CANCELLATION BY SURETY WITH SUSPENSION OF OPERATOR'S PERMIT

A. Any bond herein provided to be filed with the Department by the operator shall be in such form as the Director prescribes, payable to the State of Alabama and conditioned that the operator shall faithfully perform all applicable requirements of this Act and comply with all applicable rules of the Department made in accordance with the provisions of this Act. Such bond shall be signed by the operator, as principal, and by a good and sufficient corporate surety licensed to do business in the State of Alabama, as surety. The penalty of such bond shall not be less than Three Hundred Dollars (\$300) nor more than Five Hundred Dollars (\$500) per acre based upon the number of acres of land in each operation, which will be affected by surface

mining during the following year: Provided, that no bond shall be filed for less than Five Thousand Dollars (\$5,000). All permits where bond exceeds Three Hundred Dollars (\$300) per acre, the Director shall state in writing reasons for amount of bond required. Liability under such bond shall be for the duration of the surface mining at each operation, and for a period of three years thereafter, unless released prior thereto as hereinafter provided. In lieu of such bond, the operator may elect to deposit cash or negotiable bonds of the United States Government or the State of Alabama, or any municipality within the State, with the Department in lieu of a corporate surety. The cash deposit or market value of such securities shall be equal at least to the sum of the bond. The Department shall, upon receipt of any such deposit of cash or securities, immediately place the same with the State Treasurer, whose duty it shall be to receive and hold the same in the name of the State, in trust, for the purposes for which such deposit is made. The State Treasurer shall at all times be responsible for the custody and safekeeping of such deposits. The operator making the deposit shall be entitled from time to time to demand and receive from the State Treasurer, on the written order of the Director, the whole or any portion of any securities so deposited, upon depositing with him in lieu thereof other negotiable securities of the classes herein specified having a market value at least equal to the sum of said cash deposits or securities as the same becomes due and payable; provided, however, that where securities, deposited as aforesaid, mature or are called, the State Treasurer, at the request of the operator, shall convert such securities into such other negotiable securities of the classes herein specified as may be designated by the operator. The total penalty of the bond or amount of cash and securities shall be increased or reduced from time to time as land is added to or withdrawn from the permit as provided in this Act.

B. Whenever an operator shall have completed all applicable requirements under the provisions of this Act as to any affected land, he shall notify the Department thereof. The Department shall within thirty (30) days after notification by the operator inspect the affected land completed by the operator and, if the land has been reclaimed as required by this Act, shall release the operator from further obligations regarding such affected land and reduce or release the bond or substituted cash or securities of the operator. Inspections by the Department under this Subsection 9B shall include inspection by a registered forester.

C. A bond filed as above prescribed shall be conditioned so that it cannot be cancelled by the surety except after not less than ninety (90) days' written notice to the Department. If a bond is cancelled after such notice, the operator shall, on or before the effective date of such cancellation, substitute for such bond another bond or cash or securities as provided herein.

D. If the license to do business in the State of any surety upon a bond filed with the Department pursuant to this Act shall be suspended or revoked, the operator, within thirty (30) days after receiving written notice thereof from the Department, shall substitute for such surety a good and sufficient corporate surety licensed to do business in the State of Alabama, or another bond, or cash or securities in lieu thereof as provided hereinabove.

E. The failure of the operator to make substitution of surety as provided in Subsections C and D next above shall result in the automatic suspension of the permit of the operator to conduct mining operations on the land described in such permit, and the operator shall not conduct further or additional mining operations on the land described in such permit until substitution as provided hereinabove has been made on the surety.

Section 2. The provisions of this amendment shall not alter nor repeal or affect in any manner the Surface Mining Act of 1969 concerning the surface mining of clay, sand, and gravel.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Gilmore	King	O'Bannon
Bailes	Givhan	Lindsey	Owen
Carr	Hammond	Littleton	Pelham
Clark	Harris	Lybrand	Register
Cook	Hawkins	McLain	Vacca
Cooper	Horne	Malone	Wilder
Dominick	Jones	Noonan	Wilson
Dozier			

—28

Nay: Mr. Fine

—1

And said Bill, S. B. 549, as amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Gilmore	King	Owen
Bailes	Givhan	Littleton	Pelham
Carr	Hammond	Lybrand	Pierce
Clark	Harris	McLain	Register
Cook	Hawkins	Malone	Vacca
Cooper	Horne	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Edington			

—28

Nay: Mr. Fine

—1

Mr. Cook requested and received unanimous consent to have his name added as co-sponsor of the Bills, S. B.'s 545, 546, 547, 548 and 549.

The Bill:

H. 991. To further amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended by Act No. 118, H. 35, Legislature of 1965, approved September 30, 1965 (Acts of 1965, 2nd and 3rd Spec. Sessions, p. 163), an Act regulating the labeling, sale, offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; amending Section 10 of said Act, as amended, which relates to the annual permit and permit fee required to be paid for the sale, offering for sale, distribution and processing of agricultural, vegetable, herb, tree, shrub or flower seeds.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Carr	Givhan	Lybrand	Pierce	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Shelby	
Dominick	Hawkins	Noonan	Vacca	
Edington	Horne	O'Bannon	Wilder	
Fine	Jones			—29

Nays:

—0

The Bill:

H. 128. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

Was read a third time at length and passed.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Edington	Hawkins	Owen	
Bailes	Fine	Jones	Pelham	
Clark	Foshee	Lindsey	Pierce	
Cook	Gilmore	Lybrand	Register	
Cooper	Givhan	McLain	Shelby	
Dominick	Hammond	Noonan	Vacca	
Dozier	Harris	O'Bannon	Wilder	—27

Nay: Mr. Malone

—1

The Bill:

H. 127. Proposing a constitutional amendment relating to the mileage allowance provided members of the legislature.

was taken up.

Mr. Dominick offered the following amendment to the Bill, H. B. 127, to-wit:

AMENDMENT TO H. 127

Amend Section 1 by striking therefrom paragraph 1 in its entirety and inserting in lieu thereof the following:

"1. While in session and no more often than once a week, each member of the legislature shall be entitled to receive such mileage expense as may be prescribed by law in going to and returning from the seat of government, to be computed by the nearest highway route traveled."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Edington	Gilmore
Bailes	Cooper	Fine	Givhan
Clark	Dominick	Foshee	Hammond

Harris	Lindsey	O'Bannon	Pierce	
Hawkins	Lybrand	Owen	Shelby	
Jones	McLain	Pelham	Vacca	
King	Noonan			—25

Nays: —0

And said Bill, H. B. 127 as thus amended, was then read a third time at length as required by the Constitution and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Clark	Givhan	Lybrand	Register	
Cooper	Hammond	McLain	Shelby	
Dominick	Harris	Noonan	Vacca	
Dozier	Hawkins	O'Bannon	Weaver	
Edington	Jones	Owen	Wilder	—27

Nays: —0

The Bill:

H. 437. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize and require the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Pierce	
Cook	Givhan	Lybrand	Register	
Cooper	Hammond	McLain	Shelby	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilder	—29
Edington	Jones			

Nays: —0

The Bill:

H. 29. To provide that any person who is an employee or retired employee of the State and covered by or retired under the State Employee Retirement System and who becomes director or other employee of any department may elect to continue or resume his participation in said retirement system, and to provide that the appropriate department may expend any funds appropriated to it for matching such employee's contributions to the retirement system under the provisions of this Act.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Hammond	McLain	Shelby
Cooper	Hawkins	Malone	Vacca
Dozier	Horne	Noonan	Weaver
Edington	Jones	O'Bannon	Wilder
Fine	King	Owen	

—30

Nays:

—0

The Bill:

H. 584. To authorize the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham
Bailes	Givhan	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Cooper	Harris	McLain	Shelby
Dozier	Hawkins	Malone	Vacca
Edington	Horne	Noonan	Weaver
Fine	Jones	O'Bannon	Wilder
Foshee	King	Owen	

—30

Nays:

—0

The Bill:

H. 175. Relating to the Eighth Judicial Circuit; providing for additional circuit court judge in such circuit.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham
Bailes	Hammond	Littleton	Pierce
Clark	Harris	Lybrand	Register
Cooper	Hawkins	McLain	Shelby
Dozier	Horne	Malone	Vacca
Edington	Jones	O'Bannon	Weaver
Fine	King	Owen	Wilder
Gilmore			

—28

The Bill:

H. 2250. To require that any person whose driving license has been canceled, suspended or revoked by the Director of Public Safety or any court of competent jurisdiction shall pay a fee to the Department of Public Safety upon application for reinstatement of such license,

and to provide that all fees so collected by the Director shall be deposited into the General Fund of the State of Alabama.

was taken up.

Mr. Littleton offered the following amendment to the Bill, H. B. 2250, to-wit:

AMENDMENT TO H. B. 2250

Amend H. B. 2250 as follows:

Amend Section 1 by striking out "a fee of Ten (\$10.00) Dollars" and in lieu thereof inserting "a fee of Twenty-five (\$25.00) Dollars."

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Foshee	King	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Dominick	Hammond	Malone	Shelby	
Dozier	Hawkins	Noonan	Vacca	
Edington	Horne	O'Bannon	Wilder	
Fine				—24

Nays: Messrs. Cooper, Lindsey —2

And said Bill, H. B. 2250, as thus amended, was then read a third time at length and passed.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Givhan	McLain	Register	
Bailes	Hammond	Noonan	Shelby	
Cook	Harris	O'Bannon	Vacca	
Edington	Hawkins	Owen	Wilder	
Fine	Jones	Pelham	Wilson	
Foshee	Littleton	Pierce		—22

Nays:

Messrs.:	Cooper	Lindsey	Weaver	
Clark	Dozier	Lybrand		—6

Mr. Fine moved that the Senate reconsider the vote by which the Bill, H. B. 2250, as amended, was passed and further moved that his motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 2251. Relating to the furnishing of operating record by the Director of Public Safety and the cost thereof, and amending Section 3 of Act No. 704, General Acts of Alabama 1951, as amended by Act No. 707, General Acts of Alabama 1961, approved September 8, 1961.

was taken up.

Mr. Lybrand offered the following amendment to the Bill, H. B. 2251, to-wit:

AMENDMENT TO H. B. 2251

Amend H. B. 2251 as follows:

Amend Section 1 by striking out "The Director shall collect for such abstract the sum of Five Dollars (\$5.00)", and in lieu thereof inserting "The Director shall collect for such abstract the sum of Two Dollars (\$2.00)."

Mr. Hawkins moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Foshee	Jones	Pelham	
Cook	Hammond	King	Vacca	
Edington	Hawkins	Littleton	Wilder	
Fine	Horne	Malone		—14

Nays:

Messrs.:	Dominick	Lindsey	Owen	
Bailes	Dozier	Lybrand	Pierce	
Clark	Givhan	Noonan	Register	
Cooper	Harris	O'Bannon	Weaver	—15

And said amendment to the Bill, H. B. 2251, was then adopted.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Dozier	Jones	Noonan	
Bailes	Edington	Lindsey	O'Bannon	
Clark	Givhan	Lybrand	Owen	
Cooper	Harris	Malone	Register	
Dominick				—16

Nays:

Messrs.:	Hawkins	McLain	Vacca	
Fine	Horne	Pelham	Weaver	
Foshee	King	Pierce	Wilder	
Hammond	Littleton	Shelby		—14

And said Bill, H. B. 2251, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
Fine	King	Owen		—30

Nays:

—0

The Bill:

H. 1124. To amend Sections 1, 5, 7, and 8 of Act No. 515, H. B. 93, Approved July 9, 1945 (General Acts 1945, Page 734), as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce	
Bailes	Hammond	McLain	Register	
Cook	Hawkins	Malone	Shelby	
Cooper	Horne	Noonan	Vacca	
Dozier	Jones	O'Bannon	Weaver	
Fine	Lindsey	Pelham	Wilder	
Foshee	Littleton			—25

Nays:

—0

Mr. Hawkins moved that the Senate reconsider the vote by which the Bill, H. B. 1124, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 1021. To provide for the retirement of employees under the State Retirement System who have obtained the age of 50 and have at least 30 years service and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	Lybrand	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 80. Relating to education; providing for The Drug Abuse Education Act of 1971; establishing a program of drug, narcotic, alcohol and tobacco education; providing for the administration and regulation of such program; and providing an appropriation therefor.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Clark	Hammond	Lybrand	Register	
Cook	Harris	McLain	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Weaver	
Edington	Jones	Owen	Wilder	
Fine	King			—29

Nays:

—0

The Bill:

H. 1123. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 1123, to-wit:

AMENDMENT TO H. B. 1123

Amend H. B. 1123 by adding after the comma in line 7 of Section 1, a, on page two of said bill the following:

"The University of Alabama Huntsville Foundation and all real and personal property of the University of Alabama Huntsville Foundation,".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Clark	Foshee	Lybrand	Register
Cook	Givhan	McLain	Shelby
Cooper	Hawkins	Noonan	Vacca
Dominick	Horne	O'Bannon	Weaver
Dozier	Jones	Owen	Wilder

—27

Nays:

—0

And said Bill, H. B. 1123, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce
Bailes	Fine	Lybrand	Register
Carr	Foshee	McLain	Shelby
Clark	Givhan	Noonan	Vacca
Cook	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

H. 461. To amend Title 13, Section 241, Code of Alabama, 1940, pertaining to expenses of district attorneys outside of their home counties.

Was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen		—26

Nay: Mr. Lybrand —1

The Bill:

H. 360. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State; providing penalties for violations.

Was read a third time at length and passed.

Yeas 17; Nays 5.

Yeas:

Messrs.:	Dominick	Malone	Register	
Bailes	Edington	Noonan	Shelby	
Clark	Jones	O'Bannon	Vacca	
Cook	Lindsey	Pelham	Wilder	
Cooper	Lybrand			—17

Nays:

Messrs.:	Foshee	Littleton	Weaver	
Fine	Givhan			—5

The Bill:

H. 368. To amend Section 12(2), Title 51, Code of Alabama 1940, Recompiled 1958, relating to tax on non-profit associations.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Carr	Givhan	Lybrand	Register	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Malone	Weaver	
Cooper	Jones	Noonan	Wilder	
Dozier	King	O'Bannon		—26

Nays: —0

The Bill:

H. 881. To provide a Uniform Standards Code for the protection of life and property.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pelham
Bailes	Givhan	Lybrand	Pierce
Clark	Hammond	McLain	Register
Cooper	Hawkins	Malone	Shelby
Dozier	Horne	Noonan	Vacca
Edington	Jones	O'Bannon	Weaver
Fine	King	Owen	Wilder
Foshee	Lindsey		

—29

Nays:

—0

The Bill:

H. 2078. To provide an appropriation to the Alabama Forestry Commission for the purchase of land needed to expand existing forest tree seedling nursery.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	Jones	Pelham
Carr	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Sneiboy
Cook	Gilmore	Lybrand	Vacca
Cooper	Givhan	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder

—27

Nays:

—0

The Bill:

H. 508. To further amend Act No. 638, S. 137, Regular Session of the Legislature of 1953 (Acts of 1953, p. 895), as amended by Act No. 248, H. 41, approved May 5, 1965 (Acts of Alabama of 1965, Spec. Session, p. 363) providing that the Alabama Agricultural and Industrial Exhibit Commission shall provide and pay for agricultural premiums at the annual fair held by the South Alabama State Fair Association; to provide the amount to be paid for such premiums by amending Section 11 of said Act, as amended.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Givhan	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Clark	Harris	Malone	Shelby
Cook	Hawkins	Noonan	Vacca
Cooper	Horne	O'Bannon	Weaver
Edington	Jones	Owen	Wilder
Fine			

—28

Nays:

—0

The Bill:

H. 258. To make an additional appropriation to the Office of the Attorney General from the General Fund.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen		—30

Nays: —0

The Bill:

H. 2215. To make an appropriation for the payment of expenses of the Legislature.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	King	Owen		—30

Nays: —0

The Bill:

H. 32. To amend Sections 344, 345, 346, 347, 348, 349, 350 and 351 of Title 45, Code of Alabama 1940, relating to execution of death sentence; so as to provide further for place of execution.

was taken up.

Mr. Shelby offered the following amendment to the Bill, H. B. 32, to-wit:

AMENDMENT TO HOUSE BILL 32

Amend the title and body of House Bill 32 by striking the words and figures "Title 45" wherever the same appears, and insert in lieu thereof the words and figures "Title 15."

Which was adopted.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Carr	Gilmore	McLain	Register
Cook	Givhan	Malone	Shelby
Cooper	Hammond	Noonan	Vacca
Dominick	Harris	O'Bannon	Weaver
Dozier	Hawkins	Owen	Wilder
Edington	Jones		

—29

Nays: Messrs. Horne, Lybrand

—2

And said Bill, H. B. 32, as thus amended, was then read a third time at length and passed.

Yeas 26, Nays 3.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Cook	Givhan	McLain	Shelby
Cooper	Hammond	Noonan	Vacca
Dominick	Hawkins	O'Bannon	Weaver
Dozier	Jones	Owen	

—26

Nays:

Messrs.:	Edington	Horne	Lybrand
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—3

The Bill:

H. 451. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude counties and municipalities in the State from levying any tax, license or other charge or fee other than ad valorem taxes on the production, treating, processing, ownership, selling, buying, storing or marketing of oil or gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transportation of oil or gas produced in the State of Alabama; to authorize and provide for the payment to counties and municipalities in which oil or gas wells are located of a portion of the severance tax levied by said Act No. 2; and to repeal laws in conflict herewith.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 451, to-wit:

AMENDMENT TO H. B. 451

Amend House Bill 451 as follows:

In the quoted Section 8, of Section 1, delete the following words found in lines twelve through eighteen:

"to reimburse such municipality for the costs of providing such municipal services as are made necessary by reason of the production

of oil and gas from wells located within the corporate limits or the police jurisdiction of such municipality; such reimbursements shall be paid out of that part of the taxes herein levied and collected which are hereinabove allocated to the State. All funds received under the provisions of this Act, as herein provided, shall be disbursed by the Comptroller on or before the 25th day of the month during which it is paid into the Treasury."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Clark	Givhan	Littleton	Pierce
Cook	Hammond	Lybrand	Register
Cooper	Harris	McLain	Vacca
Dominick	Hawkins	Malone	Weaver
Edington	Horne	Noonan	Wilder
Fine	Jones	O'Bannon	

—30

Nays:

—0

Mr. Noonan offered the following amendment to the Bill, H. B. 451, as amended, to-wit:

AMENDMENT TO H. B. 451

Amend House Bill 451 as follows:

In the quoted Section 8, of Section 1, "Section 8 (b) delete the following words: "Seven and one-half per cent (7½%)" and insert in lieu thereof the following words: ten per cent (10%).

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan
Bailes	Fine	Jones	Owen
Carr	Foshee	King	Pelham
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Littleton	Shelby
Cooper	Hammond	McLain	Vacca
Dominick	Harris	Malone	Wilder
Dozier	Hawkins		

—29

Nays:

—0

Mr. Lindsey offered the following amendment to the Bill, H. B. 451, as amended, to-wit:

AMENDMENT TO H. B. 451

Amend Section 1 of the bill by adding the following sentence to the end of subsection "8(a)" on page 2 thereof:

In all counties having a population of not less than 16,000 nor more than 16,250, according to the 1970 federal decennial census, such funds shall be allocated and distributed as follows: Each year the first \$150,000 shall be paid to the custodian of the county school funds and

after the payment of said \$150,000 each year the balance of said funds shall be divided and paid 1/3 to the custodian of the county school funds and 2/3 to the custodian of the county general funds.

Which was adopted.

Yeas 30, Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dozier	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
Fine	King	Owen		—30

Nays:

—0

And said Bill, H. B. 451, as thus amended, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Carr	Givhan	Littleton	Pierce	
Clark	Hammond	Lybrand	Register	
Cook	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dozier	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
Fine				—32

Nays:

—0

The Bill:

S. 421. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Clark	Givhan	Lybrand	Pierce	
Cook	Hammond	McLain	Register	
Cooper	Horne	Malone	Vacca	
Dozier	Jones	Noonan	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

H. 1244. To amend Section 16, Act No. 576, Acts of Alabama 1959, p. 1442, entitled "AN ACT Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.", as heretofore amended, so as to increase the boat registration fees of Classes I through V, and increase issuance fees on all certificates.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen
Bailes	Gilmore	Littleton	Pelham
Cook	Givhan	Lybrand	Pierce
Cooper	Hammond	McLain	Register
Dominick	Horne	Malone	Shelby
Dozier	Jones	Noonan	Vacca
Edington	King	O'Bannon	Wilder
Fine			

—28

Nays:

—0

The Bill:

H. 862. Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	King
Bailes	Fine	Hammond	Littleton
Clark	Foshee	Horne	Lybrand
Cook	Gilmore	Jones	McLain

Noonan	Pelham	Shelby	Weaver	
O'Bannon	Pierce	Vacca	Wilder	
Owen	Register			—25
Nays:				—0

The Bill:

H. 265. To authorize the Alabama Corrections Institution Finance Authority to continue to lease a portion of the Kilby property and to give certain improvements thereon to the Environmental Protection Agency of the United States of America for the purpose of maintaining and operating an environmental laboratory.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pelham		—22
Nays:				—0

The Bill:

H. 2051. To amend Section 9 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to provide additional court costs for violations of State conservation laws or regulations which will be used for the benefit of the retirement fund.

Was read a third time at length and passed.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen		—30
Nay:	Mr. Dominick			—1

The Bill:

H. 399. Relating to the licensing of Polygraph Examiners; creating a Polygraph Examiners Board; granting powers to the Polygraph Examiners Board; establishing minimum instrumentation requirements; providing for standards of qualifications of Polygraph Examiners; and providing for penalties for violation of provisions of this Act.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce
Bailes	Fine	King	Register
Clark	Givhan	Littleton	Shelby
Cook	Hammond	Lybrand	Vacca
Dominick	Hawkins	Noonan	Weaver
Dozier	Horne	Pelham	Wilder

—23

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Fine, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 360. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State; providing penalties for violations.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

ADJOURNMENT

At 11:30 P. M., on motion of Mr. Foshee, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, September 16, 1971, at 8 o'clock A. M.

THIRTY-FIFTH LEGISLATIVE DAY

THURSDAY, SEPTEMBER 16, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Cornelius DeBlock, Pastor, Second Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirty-fourth Legislative Day was approved by the Senate.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 415. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and co-ordination of ambulances; to provide for violations of rules and regulations established hereunder; exempting certain volunteer rescue squads from the provisions of this Act.

Also:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

Also:

S. 750. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the county courts of such counties.

Also:

S. 777. Relating to counties having a population of not less than 110,000 nor more than 150,000; fixing the compensation of certain officers in such counties.

Also:

S. 1200. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

Also:

S. 23. To provide further for the Management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

Also:

S. 42. To amend Section 28 G, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a high school at Fayette" be changed to read "For the construction of a school, schools, or other educational facilities in Fayette County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Also:

S. 48. To repeal Sections 21, 22, 23, and 25 of Title 13, Code of Alabama 1940 and Section 7 of Act 987, Regular Session, 1969, all of which relate to the submission of cases in the appellate courts of the state.

Also:

S. 60. To amend Section 28 D, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a school at Camden (Wilcox County High School)" be changed to read "For the construction of a school or

schools in Wilcox County"; to make the provisions of this Act retro-active to the effective date of the original Act.

Also:

S. 79. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

Also:

S. 154. To make appropriations from the Alabama Special Educational Trust Fund.

Also:

S. 212. To provide for payment of actual necessary travel expense of the State Treasurer and the Commissioner of Agriculture and Industries when traveling within the State of Alabama on business of the State.

Also:

S. 214. To amend Sections 8, 14, 26 and 36 (1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

Also:

S. 308. To further amend Section 257, Title 13, Code of Alabama 1940, as amended, which fixes the compensation of the deputy district attorney of certain counties.

Also:

S. 315. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member bank of the Federal Reserve System, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

Also:

S. 345. To provide that psychiatric services rendered in state mental hospitals and facilities shall be compensable in any policy or contract of insurance covering psychiatric services.

Also:

S. 346. Relating to mental health; providing for the confidentiality of information, records, research data with mental health care delivery system; authorizing Commissioner of Mental Health to receive research data; prohibiting identification of persons and providing a penalty for violation.

Also:

S. 347. To amend Act No. 125, S. 86, Special Session 1909 (Acts 1909, p. 163), an act relating to the authority of a probate judge to expend monies in his charge for the support of minors or persons of unsound mind.

Also:

S. 383. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

Also:

S. 384. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

Also:

S. 446. To make an appropriation to the Alabama State Board of Public Accountancy.

Also:

S. 481. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

S. 483. To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof: fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Also:

S. 508. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Also:

S. 652. To authorize the use of beds in tuberculosis sanatoria or tuberculosis hospitals receiving a State subsidy for tuberculosis treatment for general or special hospital purposes after licensure therefor and when such beds are not needed for treatment of tuberculosis.

Also:

S. 782. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

Also:

S. 786. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of at least seven hundred fifty thousand dollars, whose principal place of business is situated in counties having a population according to the 1970 or any subsequent decennial census of the United States of not less than 110,000 nor more than 150,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which the principal place of business of said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Also:

S. 946. To amend further Code of Alabama, 1940, Title 37, Section 557, which relates to the payment of municipal assessments for public improvements, amending such section in relation to the rate of interest to be paid when such assessments are paid in installments and the rate of interest to be paid on delinquent installments.

Also:

S. 953. Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Also:

S. 995. Relating to the Third Judicial Circuit; to provide for an additional expense allowance for the circuit court reporter of the Third Judicial Circuit.

Also:

S. 1018. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

Also:

S. 1020. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Also:

S. 1050. Relating to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 1125. Relating to Barbour County; providing for payment of salaries and expenses of sheriff's office relating to maintaining traffic control and law and order in County from Highway and Traffic Fund of Barbour County.

Also:

S. 1126. To amend Act No. 1174, H. 1047, Regular Session, 1969, so as to provide further for the appointment and compensation of deputies, jailors, and assistants of the sheriff of Barbour County and repeal conflicting laws.

Also:

S. 1127. To provide for all monies in the public highway and traffic fund of Barbour County to be transferred to the general fund of the county; authorizing the transfer of certain monies hereafter accruing in said public highway and traffic fund to the general fund of said county, at the discretion of the county governing body and providing for the use of such monies so transferred.

Also:

S. 1128. To authorize the governing body of Barbour County to appropriate funds out of the county highway and traffic fund for expenses necessary for the construction and maintenance of roads.

Also:

S. 1129. Relating to Marshall County; providing for the operation of cemeteries; Requiring individuals, corporations, partnerships or governmental bodies which may now or at any future date own, lease, operate or maintain a cemetery in Marshall County.

Also:

S. 1148. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Also:

S. 1159. To repeal Act No. 111, S. 49, approved May 11, 1971, Special Session 1971, entitled, "An Act To prohibit commercial fishing in counties having populations of not less than 15,400 nor more than 15,625, except by residents and/or voters of such counties."

Also:

S. 1207. Relating to counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

Also:

S. 1208. Relating to all counties having a population of not less than 110,000 nor more than 160,000 according to the most recent or any subsequent decennial census: To regulate further the employment of a clerk for the jury commission; to provide for and regulate the employment, discharge, compensation and duties of such clerk; to provide that such clerk shall be employed by the judges of the circuit court of said respective county and he shall be paid out of the county treasury and furnished office space, equipment and supplies by the county governing body.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 102. Establishing a Joint Interim State Historic Resources Study Committee.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 807. To amend Title 22, Section 199, Code of Alabama 1940, to further provide for the care of patients; nonresident patients; reports as to patients; and charges for treatment in tuberculosis hospitals by establishing the number of subsidized beds for indigent tuberculosis patients and further providing for operation of clinics for treatment and control of tuberculosis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 807, the title of which is set out in the foregoing Message from the House, to-wit:

HEALTH COMMITTEE AMENDMENT S. 807:

Amend Senate Bill 807, Section 1, line 13, by deleting "may change said allocation from time to time." and substituting therefore, "shall review said allocation not less frequently than annually and announce results of such review and adjustments in any allocation, such adjustments to become effective 60 days following said announcements; provided however, such 60 day waiting period is waived for the announcement of initial allocations for the fiscal year beginning the first day of October, 1971."

Yeas 18; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	O'Bannon	
Bailes	Fine	Horne	Owen	
Branyon	Foshee	Littleton	Pelham	
Clark	Hammond	Lybrand	Wilder	
Cook	Harris	Noonan		—18

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 960. Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide for the position of Secretary-Librarian for the District Attorney to be quartered in the Courthouse and the compensation therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Owen, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 960, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 960

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide clerical assistants for certain officers of the circuit court in such counties and to prescribe the compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, the position of secretary-librarian for the district attorney. Such secretary-librarian shall be selected by the district attorney. The secretary-librarian for the district attorney shall be quartered in the courthouse, and the rate of his compensation shall be not less than \$250 per month. Such compensation shall be paid out of the county general fund.

Section 2. The office of secretary for the judge of any circuit to which this Act applies is hereby established. Such secretary shall be selected by the judge for whom he works. Such secretary shall be quartered in the courthouse, and the rate of his compensation shall be not less than \$250 per month, which shall be paid out of the general fund of the county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	King		

—25

Nays:

—0

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee,

in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grainger, et al:

H. 392. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hearing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; and to provide for penalties and punishment for violation of this Act.

By Mr. Stewart, et al:

H. 762. To be known as the "Consumer Protection Bill," prohibiting the commission of certain fraudulent and deceptive practices; creating the Alabama Consumer Council and providing for the membership and powers thereof; creating, within the Department of Agriculture and Industries, a Division of Consumer Services and prescribing the duties thereof; providing for administration and enforcement of the Act by the Commissioner of Agriculture and Industries and by the Attorney General, respectively; providing penalties; providing appropriations.

By Messrs. Downing, Stokes and Slate:

H. 866. To authorize and direct the Department of Pensions and Security to promulgate rules and regulations establishing a program or programs requiring all able-bodied persons drawing any benefits under any form of welfare program to participate in work programs whenever practical and possible.

By Mr. Stokes, et al:

H. 973. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the homestead; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

By Mr. Mims, et al:

H. 992. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

By Mr. Mims, et al:

H. 993. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

By Mr. Ellis, et al:

H. 1010. To prohibit parking, stopping or standing on interstate and limited access highways.

By Mr. Ellis, et al:

H. 1011. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, motor driven cycles, animal drawn vehicles and persons riding animals.

By Messrs. Hill, Reynolds and Goodwin:

H. 1394. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such with knowledge that the sounds have been transferred thereon without the consent of the owner and to provide punishment therefor.

By Mr. Smith (P):

H. 1953. To amend Act No. 799, H. 591 of the Regular Session of 1965 (Acts 1965, p. 1499), which authorized and provided for employment of interpreters when deaf persons or persons having defective speech are either parties to or legally summoned material witnesses in cases, suits, causes, actions or other proceedings, at law or in equity, in circuit courts or courts of record within the state, amending the title and section 1 of such act so as to provide for the employment of interpreters when deaf persons or persons having defective speech are party to or legally summoned material witnesses in any case, suit, cause, action or proceeding, at law or in equity, in any court of the state.

By Mr. Smith (P):

H. 1954. To provide for the appointment of qualified interpreters for deaf or mute persons or persons who do not speak or understand the English language in certain court proceedings and other instances.

By Mr. Reed (T), et al:

H. 2242. To provide for an increase in salary for all capitol security officers, patrolmen, night watchmen and guards; to provide for an increase in salary for the Chief of Capitol Security and to make available all necessary equipment for the performance of their duties.

By Mr. Connell:

H. 2573. To amend Act No. 265, Regular Session 1963 (Acts 1963, p. 696) which Act authorizes the incorporation of Airport Authorities, to provide for the number of members of the Board of Directors of such Authority, the manner in which they shall be elected and to provide for the term of office of the members of said Board of Directors: to specify the powers of each such Authority; to authorize the acquisition by eminent domain, construction, installation, equipping, maintaining and operating sanitary and storm sewer systems, water, electric and gas systems, if adequate sanitary or storm sewage systems, water, electric or gas systems are not available to the Airport Authority or to its tenants, upon, adjacent to, in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area or manufacturing, industrial area owned or operated by the Authority; to provide for the employment of security guards by such Authorities; to authorize any county, city or other political subdivision, public corporation, agency or instrumentality of this State to furnish at the request of such Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or used in connection therewith by such Authority and to validate all contracts entered into by any de facto or de jure Authority organized under said Act No. 265, Regular Session 1963.

By Mr. Downing, et al:

H. 2638. To provide for the creation, incorporation and operation of the Marine Environmental Sciences Consortium; to state the purposes for which the consortium is to be organized and to define its powers;

to provide for the member institutions, officers and directors of the consortium; and to grant to the governing boards of the member institutions the authority to make contributions to the consortium.

By Mr. McCorquodale:

H. 2645. To provide that in all public contracts the contractor may withdraw the whole or any portion of the amount retained from payments due the contractor by depositing security therefor; and for related matters.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Turnham, Brassell and Adams:

H. 548. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Turnham, Brassell and Adams:

H. 549. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale, et al (with substitute):

H. 1980. To reapportion the House of Representatives of the Legislature.

By Mr. McCorquodale, et al (with substitute):

H. 1981. To reapportion the Senate of Alabama; prescribing senatorial districts; the method and date for the election of senators as provided herein; and repealing all conflicting laws.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cherner, et al:

H. 1218. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of not less than 32,000 nor more than 34,000 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries: to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the plan-

ning, supervising and financing thereof: to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them: to provide when the Act shall become effective.

By Mr. Cherner, et al:

H. 2861. Relating to counties having populations of 600,000 or more; to authorize and make provisions for the organization and incorporation of Airport, Industrial Park, and Airport and Industrial Park Authorities as non-profit public corporations for the promotion of aviation and the development and promotion of industry and commerce in such counties; to provide for the procedure, manner and conditions of organization and incorporation; to provide for the contents, execution and recording of certificates of incorporation; to provide that any such corporation shall be governed by a board of directors and to prescribe the number, terms, and manner of appointment of its members; to prescribe the powers of such Authorities, including the right to exercise the powers of eminent domain and certain zoning powers; to provide for the financing of such Authorities and to require certain local funding as a prerequisite to incorporation; to authorize the issuance of revenue bonds, to specify the provisions thereof, to pledge certain revenues for their retirement and to authorize the refunding of said bonds; to exempt such bonds from all taxation; to provide for cooperation with political subdivisions, public corporations and agencies of this State; to authorize political subdivisions to invest in bonds of the Authority and to make such bonds legal investments for fiduciaries, savings bonds and insurance companies; to authorize the Authority to accept and expend federal and state moneys or funds from public or private sources for the purposes of this act; to exempt such Authorities from certain restrictions with respect to construction and purchasing contracts and zoning regulations; to require such Authorities to be audited annually; and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Jones (F) and Harris:

H. 263. To provide for the participation of the State of Alabama in the Interstate Environmental Compact; to authorize the execution of agreements between this state and other states and the Federal Government; and to designate the rights and powers of signatories to the Compact.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake:

H. 2708. To amend Title 55, Section 356 of the Code of Alabama 1940, so as to provide that the licenses and permits required by the provisions of this Chapter of the Code shall be the only licenses and permits required by the State of Alabama or any county thereof for wrestling or boxing exhibitions.

By Messrs. Turnham and Agee:

H. 609. To regulate the practice of Landscape Architecture; to provide for the registration of qualified persons as professional Landscape Architects; to create a State Board of Registration for Professional Landscape Architects; to provide for the appointment and compensation of its members; to fix the term of members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish fees with expiration and renewal requirements; and to provide for the enforcement of this Act and penalties for its violation; and to repeal conflicting laws.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cherner (with substitute):

H. 1. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hardin and Bassett:

H. 424. To repeal Act No. 198, S. 154, approved July 25, 1963, entitled, "An Act to fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 24,525 nor more than 24,675 according to the last or any subsequent federal decennial census." (Acts of Alabama, 1963, p. 597).

By Messrs. Crowe and Naramore:

H. 1526. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

By Messrs. Crowe and Naramore:

H. 1767. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 2041. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

By Messrs. Jackson and Wise:

H. 2214. Relating to counties having a population of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to further provide for a Special Circuit Court Fund and

for the payment therefrom of attorneys fees of attorneys appointed to represent indigent defendants; and authorizing the County Treasurer to pay said claims when verified and approved by the Circuit Judge of such circuit.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stubbs (with notice and proof) (with amendments):

H. 2363. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life or aquatic life over, upon, onto or in any forest or timberland in Shelby County; to provide penalties for the violation of the provisions of this Act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stubbs (with notice and proof):

H. 2366. To amend Section 2 of Act No. 247, Acts of Alabama 1965, page 357, an Act to provide a Personnel Appeals Board for Shelby County, so as to further define the term "Employee" within the purview of such Act; and to specify that the name of the Shelby County governing body in said Act shall be, "Shelby County Commission."

By Mr. Jones (F):

H. 2408. To amend the title and Section 1 of Act No. 145, H. 199, Special Session 1964 (Acts 1964, p. 212) which authorizes housing authorities incorporated under the provisions of the Code of Alabama 1940, where the employees of said housing authorities are subject to the provisions of the merit system to enter into a contract for the services of a director and assistant director and fix the compensation thereof; empowers said director and the assistant director to act as liaison personnel between the cities, the Regional Director and to negotiate with citizens affected by the overall plan of Urban Redevelopment; designates such other duties as may be provided in said contract in order to expedite Title I of the Federal Housing Act of 1949, as amended, provides that said contract shall be approved by the Regional Director in certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Kinsey and Benton (with amendment):

H. 2457. To provide an additional clerk hire allowance to be paid certain county officials in counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on

the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McCorquodale and Agee (with notice and proof):

H. 2469. To provide for the qualifications and manner of election of members of the Clarke County Commission, the governing body of Clarke County, Alabama.

By Messrs. McCorquodale and Agee (with notice and proof):

H. 2470. To further amend Sections 2 and 3 of Act No. 819, approved September 11, 1951 (Acts 1951, Volume II, page 1452), entitled "An act to impose extra, new and additional duties upon the members of the county governing body of Clarke County, Alabama, and to provide additional compensation for the performance of such duties," as amended by Act No. 120, approved July 7, 1965 (Acts 1965), Volume 1, pages 183-4), and as further amended by Act No. 99, approved May 14, 1969 (Acts 1969, page 177), to provide further for the salaries and expense allowances of members of such governing body.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Downing, Stokes and Callahan (with amendment):

H. 2569. Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan, et al:

H. 2639. To amend further Act No. 345 S. 291, Regular Session 1955, an act applying only in counties having populations not less than 300,000 nor more than 500,000 and providing for a domestic relations division of the Circuit Court of any such county.

By Messrs. Reynolds and Goodwin:

H. 2648. To authorize counties having a population of not less than 45,500 nor more than 52,000, according to the most recent federal decennial census, to have such counties pay all expenses incurred by the Circuit Court Clerks and Registers in their respective State organizations.

By Messrs. Bassett and Hardin:

H. 2669. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

By Mr. Hardin:

H. 2704. To amend the title and Section 1 of Act No. 764, H. 1463, Regular Session 1961 (Acts 1961, p. 1091), which Act provides further for the compensation of members of the jury commission in counties having populations of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census.

By Mr. Stokes, et al:

H. 2763. Relating to counties having a population of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census; to provide that any fireman or other municipal employee employed by any municipality in such a county may live anywhere within the county so long as he is able to at all times reach the place of his employment within thirty minutes from the time he receives a call to report to duty.

By Messrs. Goodwin and Reynolds:

H. 2806. Relating to counties having populations of not less than 49,000 nor more than 51,000, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

By Mr. Lyons, et al:

H. 2825. To amend Act No. 581, 1967 Regular Session of the Legislature to apply only in counties having populations of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, providing for appointment by the district attorney of a special medical assistant to aid him in the performance of his duties, and providing for payment of the compensation of such assistant from the general funds of the county.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F), et al (with notice and proof) (with substitute):

H. 2828. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Sections 3, 4 and 5, Township 15N, Range 17E, and Sections 32, 33, 34 and 35, Township 16N, Range 17 E, all in Montgomery County, Alabama.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Flippo and Hill (with notice and proof):

H. 2837. Relating to the City of Florence, to declare the public policy of the city in regard to the extension of the zoning authority of that city by this Act, and to extend, alter, and rearrange certain of the boundaries of the zoning authority of the City of Florence so as to include within that authority a certain designated area.

By Messrs. Hill and Flippo (with notice and proof):

H. 2838. Relating to Lauderdale County; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

By Messrs. Flippo and Hill (with notice and proof):

H. 2839. To prohibit the City of Florence, or any agency thereof, from collecting outside the corporate limits of said city any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision; to provide that building code provisions may be enforced within the police jurisdiction of said city, but to limit the collection of all fees and charges therefor to the area within the corporate limits of the City of Florence.

By Messrs. Hill and Flippo (with notice and proof):

H. 2840. Relating to Lauderdale County; to amend Section 19 of Act No. 27, H. 102, First Special Session 1964 (Acts 1964, p. 47), which Act abolishes the Lauderdale County Inferior Court and establishes in lieu thereof the Lauderdale County Court, by providing further for the manner of taking appeals from judgments of said county court to the circuit clerk.

By Messrs. Flippo and Hill (with notice and proof):

H. 2841. Relating to Lauderdale County; to provide for the Lauderdale County Commission to grant an exclusive franchise to private haulers of solid waste.

By Messrs. Hill and Flippo (with notice and proof):

H. 2842. Relating to Lauderdale County; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

By Messrs. Hill and Flippo (with notice and proof):

H. 2843. To establish the "Municipal Court of the City of Florence, Alabama" which shall be subject to Chapter 12, Title 37, Code of Alabama 1940, (recompiled 1958) as last amended, except that no fine in excess of \$500.00 shall be assessed, and to abolish other courts of the City of Florence exercising the functions conferred upon said Municipal Court.

By Messrs. Pruitt and Manley (with notice and proof):

H. 2846. Relating to law enforcement in Sumter County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund; creating a fund to be designated as the Sheriff's Fund and providing for the use of such fund.

By Messrs. Chesnut and Baker:

H. 2847. Relating to all counties having populations of not less than 15,400 nor more than 15,625, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

By Messrs. Baker and Chesnut:

H. 2848. Relating to all counties having population of not less than 41,750 nor more than 45,000; providing for compensation or salary of the register of the circuit courts of such counties.

By Messrs. Baker and Chesnut:

H. 2849. To apply only in counties having populations of not less than 41,750 nor more than 45,000; providing an expense allowance for judges of the county court in such counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cross and Carter (with notice and proof) (with amendment):

H. 2850. To further amend Act No. 101, H. 112, Special Session 1966, as last amended, an Act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grainger, et al (with notice and proof):

H. 2855. Relating to Madison County; to provide that the corporate authorities of any city therein, and the Board of Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Commissioners may unite in the establishment of such service, making it common for the use of the city and of the county.

By Messrs. Drake and St. John (with notice and proof):

H. 2856. To amend further Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to further provide for the use of the proceeds of such taxes.

By Mr. Kinsey:

H. 2860. Relating to counties having populations of not less than 57,000 nor more than 61,000; to require the county commission in any such county to provide not less than 10 deputy sheriffs, and to prescribe the compensation of such deputies.

By Mr. Hearn, et al:

H. 2863. To amend Act No. 323, H. 828, 1959 Regular Session, pertaining to exemption of medical research facilities from building and zoning restrictions and other regulations in counties having a population of not less than 125,000 nor more than 225,000 according to the most recent federal decennial census so as to make the same applicable only to counties having populations of not less than 150,000 and not more than 180,000 according to the last or any subsequent decennial census.

By Mr. Hale, et al:

H. 2864. To amend Act No. 591, H. 972, 1965 Regular Session, pertaining to probate recording systems in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census, so as to make the same apply only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any federal decennial census.

By Mr. King, et al:

H. 2867. To amend the Title and Section 1 of Act 25, H. 47, 1962 Ex. Sess., p. 36, applying to the payment of benefits when employee is disabled or killed in counties having a population of 150,000 nor more than 300,000 according to the last or the 1960 or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

By Mr. King, et al:

H. 2868. To amend the title and Section 1 of Act No. 416, H. 917, 1955 Regular Session, approved September 9, 1955, pertaining to employees pensions in counties having a population of not less than 125,000 nor more than 225,000 according to the last or any subsequent federal decennial census, so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

By Mr. Lutz, et al:

H. 2869. To amend the title and Section 1 of Act No. 321, S. 344, 1955 Regular Session, approved August 30, 1955, pertaining to pension or retiring allowance plan for employees in counties having a population of not less than 125,000 nor more than 200,000 according to the last or any subsequent federal decennial census so as to make the same applicable only to counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent decennial census.

By Mr. Hale, et al:

H. 2870. To amend the title and Section 1 of Act No. 794, H. 1384, of the 1961 Regular Session, pertaining to the coroner in counties having a population of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census, so as to make the same applicable only to counties having a population of 150,000 nor more than 180,000 according to the last or any federal decennial census.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. St. John:

H. 1512. To make a conditional appropriation for funding and administering tuition grants to resident students attending private colleges in Alabama.

By Mr. Culver:

H. 1899. To amend Sections 366, 368 and 369 of Title 52 of the Code of Alabama 1940 which relates to the Teachers' Retirement System so as to make further provisions for the increase of teachers' retirement and to provide for the payment of accrued liability contributions by the State of Alabama.

By Messrs. Smith (P) and McCluskey:

H. 364. To provide a state scholarship program to promote the education of nurses at the Sylacauga Nurses Training School, Sylacauga, Alabama; and making appropriations therefor.

BILLS ON THIRD READING

The Bill:

H. 1052. To repeal Act No. 134, H. 192, approved, May 9, 1963, Second Special Session 1963 (Acts 1963, p. 320), entitled, "An Act To authorize the court of county commissioners, board of revenue, or like governing body of certain counties, classified on a population basis to prescribe the times when county offices may be closed."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Carr	Fine	Lindsey	Shelby
Clark	Hammond	Littleton	Vacca
Cook	Harris	Lybrand	Weaver
Cooper	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1053. To repeal Act No. 70, H. 110, approved, April 23, 1963, Second Special Session 1963 (Acts 1963, p. 238), entitled, "An Act Relating to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Hawkins	McLain	Shelby
Clark	Horne	Malone	Vacca
Dozier	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1054. To repeal Act No. 112, S. 3, approved September 15, 1961, Special Session 1961 (Acts 1961, p. 2037), entitled, "An Act Relating to every judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred and not more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; extending the powers, authority and duties of the circuit solicitor of any such judicial circuit so as to empower, authorize and require that such circuit solicitor supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy circuit solicitor for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy circuit solicitor and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Carr	Fine	Lindsey	Shelby	
Clark	Hammond	Littleton	Vacca	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1055. To repeal Act No. 143, H. 147, approved, May 14, 1969, First Special Session 1969 (Acts 1969, p. 207), entitled, "An Act Relating to all counties in this state having populations, according to the most recent federal decennial census, of not less than 61,000 nor more than 65,000; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Horne	O'Bannon	
Bailes	Foshee	Jones	Pelham	
Branyon	Gilmore	King	Pierce	
Carr	Givhan	Lindsey	Weaver	
Clark	Hammond	Littleton	Wilder	
Cook	Harris	Lybrand	Wilson	
Edington	Hawkins			—25

Nays:

—0

The Bill:

H. 1056. To repeal Act No. 357, H. 456, approved, August 10, 1965, Regular Session 1965 (Acts 1965, p. 495), entitled, "An Act Relating

to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution by city boards of education in such counties for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1057. To repeal Act No. 717, H. 1220, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1323), entitled, "An Act Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authorizing the court of county commissioners or other like governing body of such counties to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1058. To repeal Act No. 113, S. 4, approved, September 15, 1961, Special Session 1961 (Acts 1961, p. 2039), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1059. To repeal Act No. 206, S. 10, approved, September 15, 1961, Special Session 1961 (Acts 1961, p. 2184), entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 60,500 nor more than 65,000, according to the last or any subsequent federal decennial census, to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Harris	Lybrand	Register	
Cook	Hawkins	McLain	Wilder	
Cooper	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1060. To repeal Act No. 325, H. 774, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 808), entitled, "An Act To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census, to be paid out of the county treasury of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	O'Bannon	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 1061. To repeal Act No. 583, H. 508, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1080), entitled, "An Act To provide further for the supplemental compensation of the Circuit Solicitor in every circuit composed of only one county having two Circuit Judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Vacca	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1062. To repeal Act No. 100, H. 108, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 134), entitled, "An Act To authorize and provide for branch banks in all counties having populations of not less than 61,000 nor more than 65,000 according to the most recent federal decennial census, and to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Pierce	
Carr	Harris	Lybrand	Weaver	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Malone	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1063. To repeal Act No. 201, S. 1, approved July 22, 1969, Regular Session 1969 (Acts 1969, p. 521), entitled, "An Act To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Carr	Fine	Lindsey	Pelham
Clark	Foshee	Littleton	Pierce
Cook	Gilmore	Lybrand	Register
Cooper	Hawkins	McLain	Shelby
Dominick	Horne	Malone	Vacca
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1064. To repeal Act No. 532, S. 516, approved, August 20, 1965, Regular Session 1965 (Acts 1965, p. 785), entitled, "An Act Relating to counties having a population of not less than 60,500 nor more than 65,000 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Jones	O'Bannon	Weaver
Edington	King		

—25

Nays:

—0

The Bill:

H. 1065. To repeal Act No. 595, S. 727, approved, August 29, 1969, Regular Session 1969 (Acts 1969, p. 1082), entitled, "An Act To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Carr	Fine	Lindsey	Pelham
Clark	Foshee	Littleton	Pierce
Cook	Harris	Lybrand	Weaver
Cooper	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

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The Bill:

H. 1066. To repeal Act No. 582, H. 530, approved, September 8, 1967, Regular Session 1967 (Acts 1967, p. 1351), entitled, "An Act To provide for an appeal from any decision of a Civil Service Board in cities having a population of not more than 33,000 nor less than 31,500 according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Bailes	Hammond	Littleton	Shelby	
Branyon	Harris	Lybrand	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Clark	Horne	Pelham	Wilder	
Cook	Jones	Pierce	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1067. To repeal Act No. 144, H. 192, approved March 29, 1965, First Special Session 1965 (Acts 1965, p. 195), entitled, "An Act Relating to cities having populations of not less than 31,500 nor more than 33,000; providing an expense allowance for members of the governing body of such cities."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Register	
Cook	Hawkins	McLain	Shelby	
Cooper	Horne	Malone	Vacca	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1545. To amend the title and Section 1 of Act No. 895, H. 1262, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1622) entitled "An Act to provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Fine	McLain	Shelby	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	Owen	Wilder	
Cook	Horne	Pierce	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1554. To amend the title and Section 1 of Act No. 396, H. 903 approved August 16, 1965 (Acts of Alabama, 1965, Vol. I, Page 573) entitled "An Act to provide an expense allowance for each circuit judge of all judicial circuits, composed of only one county, which has a population of not less than 48,020 nor more than 49,750, according to the most recent federal decennial census, when the circuit judge is ex officio judge of the juvenile court; and to provide for the payment of such expense allowance out of the general fund of the county" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	Lybrand	Register	
Cooper	Hawkins	McLain	Shelby	
Dominick	Horne	Malone	Vacca	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1557. To amend the title and Section 1 of Act No. 236, H. 270, approved September 2, 1964 (Acts of Alabama, Special Sessions 1964, Vol. I, Page 321) entitled "An Act to fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			— 25

Nays:

— 0

The Bill:

H. 2233. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cook	Horne	Malone	Weaver	
Cooper	Jones			— 25

Nays:

— 0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1058. Relating to all counties having populations of not less than 52,400 nor more than 54,000, according to the most recent federal decennial census; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Register, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1058, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 1058

In the title and in Section 1 of the bill, in lieu of the figure 52,400, insert the figure 52,500.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Jones			—25

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 2176. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census; to further provide for the compensation of the members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2641. To provide further for the compensation to be paid commissioners in cities having a population of not less than 8,500 nor more than 9,000 according to the most recent federal decennial census.

was taken up.

Mr. O'Bannon offered the following amendment to the Bill, H. B. 2641, to-wit:

AMENDMENT TO H. B. 2641

In the title and in Section 1 of the bill add the following after the figure "9,000" and before the word "according":

"and to cities having a population of not less than 6,840 nor more than 6,907".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham
Carr	Hammond	Littleton	Pierce
Clark	Harris	Lybrand	Vacca
Cook	Hawkins	McLain	Weaver
Dominick	Horne	Malone	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

And said Bill, H. B. 2641, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Carr	Fine	Lindsey	Pelham
Clark	Hammond	Littleton	Vacca
Cook	Harris	Lybrand	Weaver
Cooper	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2642. To provide further for the compensation of city commissioners in cities having a population of not less than 12,700 nor more than 13,115 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	O'Bannon
Bailes	Dozier	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	McLain	Vacca
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 2651. To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000.

was taken up.

Mr. Register offered the following amendment to the Bill, H. B. 2651, to-wit:

AMENDMENT TO H. B. 2651

In Section 5, in the first sentence thereof, strike out the comma and all of such sentence preceding such comma and insert in lieu thereof the following:

If a city manager for such city is not employed the mayor and president of the city commission shall devote his full time to the duties of his office. If a city manager is employed then the mayor and president of the city commission shall devote such time daily as may be necessary to perform the duties of his office,

Also in Section 6, strike out the first sentence and the first word in the second sentence in the section, and substitute in lieu thereof the following:

Until the first Monday in October 1973, and thereafter if a city manager is employed, the mayor in cities within the scope of this Act shall continue to receive an annual salary of \$7,200.00 and each associate commissioner shall continue to receive an annual salary of \$4,800.00. If a city manager is not employed, beginning

Also strike out Section 44 in its entirety and insert in lieu thereof the following:

Section 44. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of a municipality voting in a referendum to be held on the same date on which the first election for the submission of amendments to the Constitution or the first primary, special or general election is held after passage of this Act. The municipal governing body of the city shall order and provide for the holding of the referendum on such date. On the ballot to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No., of the 1971 Regular Session of the Legislature, approved the day of 19....., which provides a form of government for cities having populations of not less than 35,000 nor more than 37,000 according to the 1970 or any subsequent federal decennial census, be adopted? Yes No" If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become operative immediately in such city. If the majority of the votes cast are "No," this Act shall have no further affect in such city. The result of the election shall be certified by the city clerk to the Secretary of State who shall make a permanent record thereof.

At the same time that the question of the effectiveness of this Act in a city is submitted to the electorate thereof, a second question shall also be submitted. The second question shall be: "If the provisions of Act No. of the 1971 Regular Session shall become effective in such city, shall a city manager be employed for such city? Yes No" If a majority of the qualified electors of such city voting at such referendum vote in favor of employing a city manager, then the governing body of such city must within six months after the new governing body takes office employ a city manager for such city. Such governing body shall prescribe the duties of the city manager and shall fix his compensation and provide for the payment thereof.

If a majority of the qualified electors of the city, voting at such election vote against employing a city manager, then no such manager shall be employed until the question has again been submitted at a referendum and approved by the electorate. The mayor and associate commissioner shall continue to perform all of the governmental functions and duties necessary for the government of the city whenever a city manager is not employed.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 2651, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1263. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census; to extend the juvenile jurisdiction of probate courts or any court authorized by law to exercise such juvenile jurisdiction to children under eighteen years of age.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lybrand	Pierce	
Bailes	Fine	McLain	Register	
Branyon	Foshee	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 1265. Relating to all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Givhan	O'Bannon	Vacca	
Cook	Hammond	Owen	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2179. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing a clerk hire allowance for the Sheriff of said counties payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Owen	Wilder	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2468. To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Branyon	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Gilmore	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2450. To levy in Baldwin County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Baldwin County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by

Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purpose of this act; to provide that the revenue derived from the tax shall be paid into the General Fund of Baldwin County; and to prescribe additional penalties for certain violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	King			—25

Nays: —0

The Bill:

H. 2578. Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Pierce	
Carr	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2608. Relating to all counties having populations of not less than 11,500 nor more than 12,500, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 2611. Relating to counties having populations of not less than 11,500 and no more than 12,500, according to the most recent decennial census; authorizing the governing body of every such county to provide the sheriff of the county an allowance for clerk hire.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Owen	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2649. To authorize the Registers of all Circuit Courts, in all Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal Decennial Census, to destroy all documents, papers, exhibits, receipt books and cancelled checks filed in Equity cases in such Courts after the expiration of Twenty (20) years from the filing date of the final decree in such cases, and making the Minute and Final Record Books the official Court Records of such destroyed documents and papers; but no authority is given herein to destroy the Docket Sheets, Minute Books, Final Record Books or indices in such cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2652. Relating to all counties having populations of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Owen	Wilder	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 2679. To establish a court of limited jurisdiction in criminal cases and civil actions at law in Bullock County, Alabama; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2693. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Foshee
Bailes	Clark	Edington	Gilmore
Branyon	Cook	Fine	Hammond

Hawkins	Lindsey	Owen	Register	
Horne	Littleton	Pelham	Shelby	
Jones	Lybrand	Pierce	Vacca	
King	McLain			—25

Nays: —0

The Bill:

H. 1773. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Foshee	Lybrand	Shelby	
Cook	Gilmore	McLain	Vacca	
Cooper	Givhan	Malone	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2698. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sumiton, in Walker County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2699. To alter, rearrange and extend the boundary lines and corporate limits of the City of Sumiton, in Walker County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2715. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	McLain	Register	
Clark	Gilmore	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2721. Relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Harris	Malone	Register	
Clark	Hawkins	Noonan	Shelby	
Cooper	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2726. To repeal Act No. 42, H. 99, Approved September 23, 1965, Second Special Session 1965 (Acts 1965, p. 58), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Givhan	McLain	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2727. To repeal Act No. 58, H. 60, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 383), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Hammond	Littleton	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2728. To repeal Act No. 59, H. 61, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 384), entitled, "An Act To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2729. To repeal Act No. 57, H. 59, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 382), entitled, "An Act Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Malone	Weaver	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2730. To authorize the county boards of education in all counties having populations of not less than 14,000 nor more than 15,000 according to the last or any subsequent federal decennial census, to furnish certain supplies and services heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	McLain	Pierce	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2731. To repeal Act No. 1247, H. 1562, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2348), entitled, "An Act Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2732. To amend the title and Section 1 and repeal Section 3 of Act No. 710, H. 1186, Regular Session 1965 (Acts 1965, p. 1313) which

regulates further the duties and compensation of members of the county commission or like governing body in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2733. To amend the title and Sections 1 & 2 of Act No. 705, H. 988, Regular Session 1967 (Acts 1967, p. 1536) which prescribes the salary and manner of payment of certain deputies sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	McLain	Pierce	
Clark	Foshee	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2701. To authorize the county board of education of any county having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Malone	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2734. To amend the title and Section 1 of Act No. 706, H. 989, Regular Session 1967 (Acts 1967, p. 1537) which regulates the compensation of the county superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Malone	Wilder	
Dozier	Harris	Noonan	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2735. To amend the title and Section 1 of Act No. 158, H. 179, Special Session 1969 (Act 1969, p. 225) which provides an additional allowance for travel for members of the board of equalization in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Branyon	Fine	Lindsey	Shelby	
Clark	Foshee	Malone	Vacca	
Cook	Gilmore	Noonan	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2736. To repeal Act No. 21, H. 98, approved September 21, 1965, 2nd Special Session 1965 (Acts 1965, p. 35), entitled, "An Act To regulate expense allowances for the superintendent of education in counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2737. To amend the title and Section 1 of Act No. 98, H. 106, Special Session 1966 (Acts 1966, p. 132) which regulates the expense allowances for the superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Branyon	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilder	
Edington	King	Pierce	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

H. 2738. To repeal Act No. 219, H. 821, approved August 6, 1965, Regular Session 1965 (Acts 1965, p. 305), entitled, "An Act To amend Section 1 of Act No. 106, H. 98, First Special Session 1964 (Acts 1964, p. 167), an act relating to counties having populations of not less than 13,700 nor more than 14,300."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Owen	Wilder	
Dominick	Harris	Pelham	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2739. To repeal Act No. 141, H. 159, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 192), entitled, "An Act To fix the salary of the county superintendent of education in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register	
Branyon	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25

Nays:

—0

The Bill:

H. 2740. To amend the title and Section 1 and to repeal Section 3 of Act No. 1093, S. 908, Regular Session 1969 (Acts 1969, p. 2027) which provides for the election and qualifications of members of the county commission, or other like governing body in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Malone	
Branyon	Fine	King	Pelham	
Clark	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Register	
Cooper	Givhan	Lybrand	Shelby	
Dominick	Hammond	McLain	Vacca	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2741. To repeal Act No. 106, H. 98, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 167), entitled, "An Act To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Branyon	Fine	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2742. To amend the title and Section 1 of Act No. 129, H. 97, Special Session 1964 (Acts 1964, p. 184) which regulates the closing of offices in the courthouse in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Register	
Clark	Horne	Malone	Shelby	
Dozier	Jones	Noonan	Vacca	
Edington	King	Owen	Wilder	
Fine	Lindsey	Pelham	Wilson	
Foshee	Littleton			—25

Nays:

—0

The Bill:

H. 2743. To amend the title and Section 1 of Act No. 34, H. 102, 3rd Special Session 1965 (Acts 1965, p. 245) which authorizes the county governing bodies to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Branyon	Fine	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2744. To amend the title and Section 1 of Act No. 97, H. 105, Special Session 1966 (Acts 1966, p. 132) which regulates the compensation of election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Fine	King			—25

Nays:

—0

The Bill:

H. 2745. To amend the title and Section 1 of Act No. 131, H. 58, Regular Session 1967 (Acts 1967, p. 469) which fixes the compensation of the coroner in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2746. To amend the title and Section 1 of Act No. 153, H. 642, Regular Session 1969 (Acts 1969, p. 429) which increases the salary of the deputy solicitor in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Branyon	Foshee	Malone	Shelby
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2747. To repeal Act No. 507, H. 931, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 605), entitled, "An Act To fix the compensation of the county superintendent of education in all counties having a population of not more than 14,350 nor less than 13,650, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Branyon	Fine	Lindsey	Pierce
Clark	Foshee	Littleton	Register
Cook	Gilmore	Lybrand	Shelby
Cooper	Givhan	O'Bannon	Vacca
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2748. To amend the title and Section 1 and to repeal Section 2 of Act No. 52, H. 116, Special Session 1962 (Acts 1962, p. 70) which provides an additional deputy sheriff whose compensation shall be payable from the county highway and traffic fund in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2749. To amend the title and Section 1 of Act No. 950, H. 1373, Regular Session 1969 (Acts 1969, p. 1683) which fixes the compensation of the chairman and each member of the board of equalization and repeals conflicting laws in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Harris	McLain	Weaver	
Dozier	Horne	Malone	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays: —0

The Bill:

H. 2750. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	King			—25

Nays: —0

The Bill:

H. 2751. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Harris	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2752. To fix the salaries of the judge and the clerk of the Calhoun County Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Clark	Hammond	Lybrand	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2753. To provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Horne	O'Bannon	Vacca	
Cook	Jones	Owen	Weaver	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2755. Relating to all counties having a population of not less than 34,000 nor more than 34,800 inhabitants according to the last or any subsequent federal decennial census; providing for an increase in the compensation of the members of the board of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 2761. To prescribe qualifications for the office of Coroner of counties having a population of not less than 34,875 nor more than 36,000 according to the most recent Federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 2766. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2769. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent and

any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the County Court in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2770. To change the method of compensating the Sheriff of Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Hammond	O'Bannon	Vacca	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 2771. To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2784. To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

H. 2787. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the Authority; and authorizing any municipality in such counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2792. To amend Sections 1 and 3 of Act No. 774, S. 626, of the 1951 Regular Session of the Legislature of Alabama, approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" so as to make

said Act apply only to cities having a population of not less than 150,000 nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	King			—25

Nays: —0

The Bill:

H. 2794. To amend Section 1 of Act No. 773, S. 621, Approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Municipal Employees Pension and Relief Funds", so as to make said act applicable only in cities having a population of not less than 150,000, nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Hammond	Littleton	Shelby	
Branyon	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2793. Providing for the submission to the qualified voters of Madison County the question of whether or not an annual license tax and registration fee shall be levied in an amount not exceeding \$2.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by an individual who is a resident of Madison County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Madison County with the concurrence of the governing body of the City of Huntsville, providing for the calling, giving of notice, holding, conducting, canvassing, and contesting of elections thereunder and the collection and enforcement of

said license tax and registration fee; exempting motor vehicles owned and used by the state and county and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Madison County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Madison County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing emergency medical treatment and emergency transportation, through the use of motor vehicles or aircraft, to the sick and injured within the County of Madison, said service to be maintained in connection with the operation of the Huntsville Hospital Emergency room, or with the operation of the Huntsville Hospital, or in connection with any other public or private hospital within Madison County, Alabama; requiring the proceeds of said license tax and fee to be paid to the Huntsville Hospital Board, Inc., or to any successor public hospital corporation in the event said hospital shall be acquired by such hospital corporation, to be used by said agency for said purpose; and repealing all laws and parts of laws in conflict therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Carr	Givhan	Lindsey	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2795. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2722. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of

disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Hammond	Malone	Register	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 2212. To amend further Act No. 421, II. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the duties and salary of said assistant.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 2212, to-wit:

SENATE LL#2 COMMITTEE AMENDMENT TO HOUSE BILL 2212

Amend Section 1 of House Bill 2212 by deleting the House amendment and substituting in lieu thereof the following words:

Said assistant to the sheriff shall have at least seven years experience in law enforcement to be eligible for appointment to said office.

Further amend HOUSE BILL 2212, Section 3, by deleting the words and figures Seventeen Thousand Five Hundred Dollars (\$17,500.00) and adding in lieu thereof the following words and figures Sixteen Thousand One Hundred Dollars (\$16,100.00).

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Carr	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 2212, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Carr	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 2789. Relating to Macon County: To create and establish in Macon County in lieu of the present Inferior Court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Macon County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the present Inferior Court and juvenile Court of Macon County; and providing for the transfer and trial of cases pending in the present Inferior Court of Macon County and in the juvenile court of Macon County, at the time this act takes effect, to the Court of Common Pleas of Macon County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Owen	Wilder	
Cooper	King			—25

Nays: —0

The Bill:

H. 1267. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to extend the juvenile jurisdiction of probate courts or any court authorized by law to exercise such juvenile jurisdiction to children under eighteen years of age.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Foshee
Bailes	Clark	Edington	Harris
Branyon	Cook	Fine	Hawkins

Horne	Littleton	Pelham	Shelby	
Jones	Noonan	Pierce	Vacca	
King	O'Bannon	Register	Wilder	
Lindsey	Owen			—25
<i>Nays:</i>				—0

The Bill:

H. 1276. To provide for fixing the compensation and payment of Court Reporters for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25
<i>Nays:</i>				—0

The Bill:

H. 1881. To repeal Act No. 22, H. 216, Special Session 1966 (Acts 1966, p. 44), which act removes all counties having populations of not less than 100,000 nor more than 115,000 from the operation of Act No. 476 of the Regular Session of 1965, approved August 20, 1965.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25
<i>Nays:</i>				—0

The Bill:

H. 2204. To provide that personnel employed by municipal governments located in counties having a population of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent federal decennial census, may not be discharged by said municipal governments for failure to live within the boundaries of the municipal government, when the boundaries of said municipality have been altered, rearranged or changed so as to exclude the place of residence of any of said personnel.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Shelby	
Clark	Harris	Lybrand	Vacca	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2397. To levy in Choctaw County a county privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Choctaw County, from depths below 6,000 feet, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 2467. To establish a Civil Service System for the City of Cullman; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall

be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2350. To apply only in counties having populations of not less than 75,000 nor more than 90,000; providing an expense allowance for the chairman or president and members of the county commission, or other like governing body of the county.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 2350, to-wit:

AMENDMENT TO H. B. 2350

Amend Section 1 by inserting immediately following the figure "\$400" where such appears therein the words "per annum".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

And said Bill, H. B. 2350, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 865. To amend further the title and Section 1 of Act No. 529 of the 1949 Regular Session of the Alabama Legislature (1949 Acts, p. 827), as amended, which relates to plumbers and plumber examining boards in certain counties classified on a population basis.

Also:

H. 1133. Relating to counties having populations of not less than 25,150 nor more than 26,500, according to the most recent federal decennial census, to provide for an expense allowance for the Court Reporter in the Law and Equity Court in all such counties.

Also:

H. 1266. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

Also:

H. 1268. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for the election of county superintendent of education by the qualified electors thereof; to prescribe duties, qualifications, term of office, and compensation.

Also:

H. 2014. To repeal Act No. 129, H. 176 approved May 9, 1963, an Act relating to counties having populations of not less than 65,000 nor more than 95,000; providing further for the operation of the offices of circuit solicitors in such counties (Acts of Alabama Organizational 1st and 2nd Special Regular Sessions 1963 vol. I, p. 316).

Also:

H. 2015. To repeal Act No. 405, H. 851 approved August 7, 1961, an act relating to regulating the compensation and allowances of Probate Judges in certain counties on a population basis (Acts 1961, Vol. 1, p. 419).

Also:

H. 2020. To repeal Act No. 371, S. 420 approved August 10, 1965, an act relating to the salary of the sheriff in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 505).

Also:

H. 2021. To repeal Act No. 200, H. 796 approved July 30, 1965, an act relating to the expense allowance for the coroner in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 283).

Also:

H. 2022. To repeal Act No. 31, S. 9 approved August 24, 1964, an act relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of clerk for the board of registrars whose compensation shall be paid by the county (Acts of Alabama 1st Special Session 1964, p. 54).

Also:

H. 2023. To repeal Act No. 30, S. 8 approved August 24, 1964, an act relating to regulating the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000 (Acts of Alabama 1st Special Session 1964, p. 53).

Also:

H. 2024. To repeal Act No. 251, H. 641 approved August 15, 1963, an act relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers (Acts of Alabama Organizational 1st Special 2nd Special Regular Sessions 1963 Vol. 1, p. 661).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2473. To provide an expense account for coroners in Monroe County in lieu of all fees he now receives.

Also:

H. 2474. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of Monroe County.

Also:

H. 2475. Relating to Monroe County; authorizing county board of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Also:

H. 2476. Relating to Monroe County; providing additional expense allowances for members of the board of education.

Also:

H. 2477. To apply in Monroe County, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 2478. To provide clerical assistance for clerks of circuit courts of Monroe County.

Also:

H. 2479. To provide for the compensation of the chief clerk of the judge of probate in Monroe County.

Also:

H. 2480. To apply in Monroe County, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 2481. Relating to Monroe County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Also:

H. 2482. To provide a clerk for the county commission or other like governing body in Monroe County, to prescribe the duties of such clerk and to provide for his salary.

Also:

H. 2483. Relating to Monroe County; providing for and regulating the compensation of the county engineer.

Also:

H. 2484. Relating to Monroe County; to provide further for the duties, compensation and expense allowances of the Monroe County Commission.

Also:

H. 2485. To authorize and direct the board of education of Monroe County to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

Also:

H. 2486. To provide for the appointment of additional deputy sheriffs in Monroe County.

Also:

H. 2487. Relating to Monroe County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 839. Relating to Tallapoosa County making it unlawful to use an electrical device or certain other devices or instruments to take, catch, stun or kill any game or non-game fish, prescribing penalties therefor and making the possession of any such device prima facie evidence that it is being used for illegal purposes.

Also:

H. 1007. To amend Section 1 of Act No. 81, H. 76, Special Session 1967 (Acts 1967, p. 114), which authorizes the district attorney of the nineteenth judicial circuit to appoint a secretary and provide for compensation thereof.

Also:

H. 1229. To amend the title and Sections 1 and 2 of Act No. 927, H. 895, Regular Session 1961 (Acts 1961, p. 1486), which act provides further for the compensation and allowances of jurors and bailiffs in certain counties classified on a population basis.

Also:

H. 1732. To amend further Section 1, Act No. 47, H. 100, Special Session 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

Also:

H. 1733. To regulate further the fees for recording documents affecting the title to real property in Elmore County; and providing for the disposition of said fees.

Also:

H. 1734. Relating to Elmore County; to provide for an additional fee to be charged by the judge of probate of such county for his services in redemption of land sold for taxes; and providing for the disposition of such additional fee.

Also:

H. 1735. To further regulate the fee for recording change of ownership of a motor vehicle in Elmore County; providing for the disposition of such fees.

Also:

H. 1737. Relating to Elmore County: abolishing the Elmore County Court and establishing in lieu thereof a court of record to be known as the Law & Juvenile Court defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of court; and providing for the transfer of all cases pending in the Elmore County Court to the Law & Juvenile Court.

Also:

H. 1739. To amend further Section 1, Act No. 47, H. 100, Special Session, 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

Also:

H. 1836. Relating to Counties having populations of not less than 90,000 nor more than 100,000; to provide for Minute Entries in Misdemeanor cases appealed from County Court, a City Recorder's Court, Mayor's Court, Police Court, a Municipal Court, or any Inferior Court, to the Circuit Courts or any other Courts of Record in such counties.

Also:

H. 1963. Relating to counties having a population of not less than 30,000 nor more than 33,575, according to the most recent federal decennial census; to provide for the annual salary of jury commissioners of such counties to be \$800.00 per year.

Also:

H. 1964. Relating to counties having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; to provide for jurors pay in such counties to be \$15.00 per day.

Also:

H. 1968. Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2252. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

H. 2505. To repeal Act No. 732, H. 1263, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1340), entitled, "An Act relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."

Also:

H. 2506. To amend the title and Section 1 of Act No. 646, S. 599, Regular Session 1965 (Acts 1965, p. 1167) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

Also:

H. 2320. To amend the title and Section 1 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended, which authorizes county governing bodies to provide for payment of expenses of certain county officers, in certain counties on a population basis.

Also:

H. 2321. To amend the title and Section 1 of Act No. 54, H. 10, Regular Session 1967 (Acts 1967, p. 381), which authorizes the county commission to provide an additional clerk-hire allowance to the circuit clerk in certain counties classified on a population basis.

Also:

H. 2322. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Also:

H. 2323. To amend the title and Section 1 of Act No. 189, H. 245, Special Session 1964 (Acts 1964, p. 254), which provides for the appointment of deputy sheriffs and fixes their salaries in certain counties classified on a population basis.

Also:

H. 2324. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Also:

H. 2325. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Also:

H. 2326. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

Also:

H. 2327. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Also:

H. 2328. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Also:

H. 2329. To amend the title and Section 1 of Act No. 487, H. 699, Regular Session 1967 (Acts 1967, p. 1182), which provides an expense allowance for the district attorney of the circuit court; fixes the expiration date of such expense allowance in certain counties classified on a population basis.

Also:

H. 2330. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager, defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Also:

H. 2331. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2550. To repeal Act No. 541, S. 595, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1291), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

Also:

H. 2551. To repeal Act No. 196, S. 425, approved August 8, 1967, Regular Session 1967 (Acts 1967, p. 561), entitled, "An Act To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county."

Also:

H. 2552. To repeal Act No. 231, H. 153, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 317), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

Also:

H. 2553. To repeal Act No. 232, H. 154, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 318), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

Also:

H. 2554. To repeal Act No. 168, H. 154, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 235), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; providing for payment of expense allowances for the chairman and members of the county governing body and imposing additional duties upon such county officers."

Also:

H. 2555. To repeal Act No. 213, H. 167, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To authorize and direct the board of education of any county having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census, to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education."

Also:

H. 2556. To repeal Act No. 144, H. 450, approved July 10, 1963, Regular Session 1963 (Acts 1963, p. 519), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services."

Also:

H. 2557. To repeal Act No. 313, H. 743, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 344), entitled, "An Act To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 22,350 nor more than 24,500."

Also:

H. 2558. To repeal Act No. 351, H. 873, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 22,350 nor more than 24,500, for the hunting of female deer or unantlered male deer."

Also:

H. 2559. To repeal Act No. 211, H. 166, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 241), entitled, "An Act To provide clerical assistance for clerks of circuit courts of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

Also:

H. 2561. To repeal Act No. 516, H. 1150, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 759), entitled, "An Act Relating to all counties having populations of not less than 22,350, nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties."

Also:

H. 2568. Relating to counties having populations of not less than 300,000 nor more than 600,000; to authorize the county commission of such county to appropriate funds for the relief of Nollie Thompson.

Also:

H. 2571. To amend Act No. 126, H. 58, Special Session 1971, approved May 11, 1971, which Act provided for additional court costs in certain cases in the thirteenth judicial circuit, by excepting certain proceedings from said costs.

Also:

H. 2607. To fix the salary to be paid the Tax Collector of Jackson County, Alabama and the salary to be paid the Tax Assessor of Jackson County, Alabama, to provide the amounts of such salary for each of said officers, to provide for the employment of clerical assistants and the necessary expenses to operate said offices, and to provide for the payment of any fees, commissions or allowances received by such officers in the discharge of their official duties to the County Treasury of Jackson County, Alabama, which Act shall change the method of compensation of the Tax Collector and Tax Assessor of Jackson County, Alabama from the fee system to salary and to provide the effective date of this Act.

Also:

H. 2613. To repeal Act No. 554, H. 1124, Regular Session 1969 (Acts 1969, p. 1038), entitled "An Act To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census."

Also:

H. 2614. To apply only in counties having populations of not less than 52,500 nor more than 54,000; Relating to the board of registrars; further regulating the days, hours, and places of its meetings, and the compensation of its members; requiring forfeiture of certain compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, p. 403).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their title had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2057. Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended.

Also:

H. 2208. To provide that residency within a municipality shall not be a pre-requisite to employment by municipalities having populations of not less than 40,000 nor more than 45,000.

Also:

H. 2248. Relating to the meetings of Boards of Registrars in Counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; and providing further for the acceptance of applications for registration in such counties.

Also:

H. 2282. To create the office of Supernumerary Probate Judge in any county having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any Supernumerary Probate Judge.

Also:

H. 1838. To provide further for hospital services for the indigent in Conecuh County; to authorize the hospital board to provide matching funds for said service and to relieve the county governing body of certain duties.

Also:

H. 1839. To provide the tax assessor of Conecuh County an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

Also:

H. 1840. To provide clerical assistants for the office of the judge of probate of Conecuh County, and to provide a clerk hire allowance for the judge of probate, payable out of the general funds of the county.

Also:

H. 1841. To provide further for the compensation of the county or deputy solicitor of Conecuh County.

Also:

H. 1842. To provide an additional clerical allowance to the circuit clerk of Conecuh County, such allowance to be payable out of the general funds of the county.

Also:

H. 1843. To provide an expense allowance for members and the chairman of the Conecuh County Commission or other like governing body of Conecuh County.

Also:

H. 1900. To provide for the selection of the Superintendent of Education of Geneva County, prescribing his qualifications, providing for his term of office, salary and powers and duties, and further providing for the filling of vacancies in the office.

Also:

H. 1965. To provide for the seizure and confiscation of property used in illegal night hunting of deer in counties having a population of not less than 21,000 nor more than 22,000.

Also:

H. 1982. To amend the title and Section 1 of Act No. 156, S. 145, Regular Session 1965 (Acts 1965, p. 226), which Act provides for the employment of a secretarial assistant by the County Solicitor in certain counties classified on a population basis.

Also:

H. 2034. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; entitling the coroner to a scale of fees.

Also:

H. 2128. To amend further Act No. 13, H. 118, of the Regular Session of 1947 (Local Acts 1947, p. 7) which establishes for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen, so as to regulate further membership in and creditable service for and retirement under such system; further regulating benefits payable under such system and the investment of monies in the Fireman's and Policeman's Pension and Relief Fund; and for such purposes amending Sections 4, 16, and 26 and further amending Sections 9 and 15, as amended.

Also:

H. 2129. Relating to all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; to set a fee for the issuance of pistol permits, and to provide for the collection and disposition of said fees.

Also:

H. 2653. Relating to all counties having populations of not less than 56,500 nor more than 59,000 according to the most recent federal

decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Also:

H. 2654. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 2659. To provide for the compensation for a member of the county commission elected or appointed as chairman of the county commission in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census.

Also:

H. 2660. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969, (Acts 1969, p. 426), which provided for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

Also:

H. 2678. To abolish the Inferior Court of St. Clair County and to create and establish in lieu thereof a new Inferior Court System for St. Clair County, Alabama; to define and prescribe its jurisdiction, powers and venue; to provide for the judges and other officers of said court, their powers, duties, tenure and compensation; to set costs of court; to provide rules of procedure for said court and the operation thereof; to provide for the time and place of the holding of said court; to repeal conflicting laws and provide for the effective date of this Act.

Also:

H. 2686. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, electing to come under the provisions of this Act; providing additional and alternate methods for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits and the transfer of ownership of motor vehicles; relating to the collection and issuance of other county licenses, providing exception; creating a county license department and providing for the appointment, qualifications, term, duties and authority of the director and deputy director; transferring certain duties, liabilities, and responsibilities of the tax collector, tax assessor and probate judge to such department; providing for the method by which a county to which this Act applies can elect to come within or withdraw from the provisions of this Act; providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities; and repealing conflicting laws.

Also:

H. 2688. To authorize the governing body of Madison County to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions;

to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by the county under the authority of this act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

Also:

H. 2689. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

Also:

H. 2690. Relating to all counties having not more than 61,000 nor less than 57,000 inhabitants according to the last or any subsequent federal decennial census; to empower the boards of registrars in such counties to designate clerks of cities within such counties and chief clerks of the probate courts in such counties to act as deputy registrars; to prescribe the duties and powers of said deputies and the methods by which application may be taken by said deputies, and to determine the hours during which the boards of registrars shall operate in such counties.

Also:

H. 2695. To apply to counties having a population of not less than 34,100, nor more than 34,900, according to the most recent federal decennial census. Authorizing and empowering the County Commission or other county governing body to divide or redive the County into Commission Districts and to otherwise provide for the election of the members of the Commission.

Also:

H. 1411. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

Also:

H. 1413. To amend further Section 1 of Act No. 192, H. 252, First Special Session 1964 (Acts 1964, p. 256), an Act providing an annual allowance for purchasing uniforms for deputies sheriff in counties having populations of not less than 300,000 nor more than 500,000, so as to regulate further the amount of such allowance.

Also:

H. 1416. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Also:

H. 2687. To authorize the charging of a "convenience fee" in the amount of 25 cents on the sale of any hunting or fishing licenses sold in Madison County by any special agent who sells hunting or fishing licenses in the City of Huntsville under authority granted pursuant to the provisions of Act No. 623, H. 351, p. 1082, Acts of Alabama, 1951 Regular Session of the Alabama Legislature; prescribing penalties for the violation of the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 727. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial of cause.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1152. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the State having a population of 300,000, or more, according to the last or any subsequent Federal census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for such governing body to elect members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease such facilities to others; to grant the Authority other powers incidental to the powers above enumerated, including the power of eminent domain; to authorize the city to aid the Authority in planning, con-

structing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in an indenture by the Authority and a trustee, or by resolution providing for the issuance of the bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county wherein the Authority is situated; to provide that bonds or other debts of the Authority shall not constitute a debt of the State or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds; to exempt the Authority and its property from all taxation, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this State to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Carr	Hammond	McLain	Pierce	
Clark	Harris	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2494. To provide further for the salary of any deputy clerk and register located in a city other than the county seat in counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2567. To amend the title and Section 1 of Act No. 490, S. 636, Regular Session 1969 (Acts 1969, p. 950), which provides that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

H. 2612. Relating to all cities having populations of not less than 33,500 nor more than 36,000 inhabitants according to the last or any subsequent federal decennial census; to declare the public policy of such cities in regard to the extension of the zoning authority of such cities by this Act; and to extend, alter, and rearrange certain of the boundaries of the zoning authority of any such cities so as to include within that authority a certain designated area.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Carr	Fine	Lindsey	Pelham	
Clark	Foshee	Littleton	Pierce	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2621. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to provide for the temporary release, at the court's discretion, of certain prisoners in said counties for the purpose of obtaining and working at gainful employment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Malone	Vacca
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 2624. Relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under the contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Harris	McLain	Register
Carr	Hawkins	Noonan	Shelby
Clark	Horne	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2664. Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for the fixing of supplementary compensation or salary of the official Court Reporters, the Register, the Deputy Register of the Circuit Courts, the Chief Clerk of the Recording Division of the Probate Court, and the Clerk of the Court of General Sessions

in any such counties coming under the provisions of this Act, and providing for payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dominick	Horne	Pelham	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2707. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 2760. To provide that any incorporated municipality in counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census, shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2767. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens compensation benefits for all employees of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Hammond	O'Bannon	Vacca	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2768. To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Givhan	Lindsey	Shelby	
Clark	Hammond	Littleton	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2774. To impose a filing fee of One (\$1.00) Dollar on certain instruments, documents and papers filed for record in the office of the Probate Judge of Madison County and to authorize the governing body of Madison County to impose an additional similar filing fee not to exceed Two (\$2.00) Dollars, the funds collected therefrom to be used exclusively for the funding of the mental health program in Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2775. Relating to cities having a population of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census; providing for the planning, design, location, financing, acquisition of property for construction, alteration, enlargement, use, maintenance, and fostering of off-street automobile parking facilities in such cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2779. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur in Morgan County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Malone	Weaver	
Clark	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2783. Relating to counties having a population of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census; regulating the keeping of records in the Circuit Court of such counties; eliminating the recording of certain documents in what is commonly designated "final record books", and providing that the

originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safekeeping of such final records.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Owen
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 2800. Relating to counties having populations of not less than 52,500 nor more than 54,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. R. 2800 to-wit:

SUBSTITUTE FOR H. B. 2800

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 52,500 nor more than 54,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census.

Section 2. The boundary lines and corporate limits of any town within such county which is presently adjacent to the following described lands are hereby altered, rearranged and extended so as to include within the corporate limits of the city the following described lands:

Beginning at the SE Corner of the NE $\frac{1}{4}$ of Section 26, T4N, R23E, Dale County, Alabama, thence west along the forty lines to the SW corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, T4N, R23E, thence south along the forty lines to the SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34, T4N, R23E, thence west along the section lines to the centerline of Claybank Creek, thence northward along the centerline of Claybank Creek through section 33, section 34, section 27, section 28, section 21 and section 16 to the south R.O.W. line of the Seaboard Coastline Railroad, thence eastward along the south R.O.W. line of said Seaboard Coastline Railroad through Section 16, Section 15, Section 14, and Section 13 of T4N, R23E and continuing eastward along the South R.O.W. line of the Seaboard Coastline Railroad through Section 18, T4N, R24E to

a point where said south R.O.W. line intersects the west line of the east half of the west half of the SE $\frac{1}{4}$ of Section 18, T4N, R24E; thence south to the SW corner of the East half of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19, T4N, R24E, thence eastward along the forty line to the NE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 19; thence south along the section line to the SE corner of the NE $\frac{1}{4}$ of Section 19; thence eastward to the centerline of the Choctawhatchee River; thence southward along the centerline of the Choctawhatchee River to a point where the centerline of said River intersects the south line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, T4N, R24E; thence westward along the quarter line to the SW corner of the NE $\frac{1}{4}$ of Section 30; thence north along the forty line to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30; thence westward along the forty line to the SW corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30; thence northward along the section line to the SW corner of Section 19; thence westward along the Section line to the SW corner of Section 24, T4N, R23E, thence southward along the section line to the SE corner of the NE $\frac{1}{4}$ of Section 26, T4N, R23E, which is the point of beginning, less eight acres in the east half of the west half of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, T4N, R23E; which lies south of the Seaboard Coastline Railroad right of way. Said property being located in Dale County, Alabama.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

And said Bill, H. B. 2800, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2801. To alter or rearrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands herein-after described.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	King	Pelham	
Clark	Foshee	McLain	Pierce	
Cook	Gilmore	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2802. To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporation limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Noonan	
Bailes	Edington	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 2804. To alter, rearrange and extend the boundary lines and corporate limits of any city in the State of Alabama having a population of not less than 33,500 nor more than 36,500, according to the 1970 federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Horne	Malone	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 2807. Relating to Hale County; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Branyon	Fine	McLain	Pierce	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2808. To repeal Act No. 215, H. 254, approved August 4, 1961, Regular Session 1961 (Acts 1961, p. 243), entitled "An Act To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 14,300 nor more than 14,800 according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Branyon	Fine	McLain	Pierce	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2809. To repeal Act No. 145, H. 181, as last amended, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 194), entitled, "An Act providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Noonan	Shelby	
Cooper	Givhan	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2812. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Eighth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Shelby	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	Malone	Weaver	
Clark	Givhan	Noonan	Wilder	
Cook	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2814. To alter, rearrange and extend the corporate limits of the Town of Vernon, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2811. Relating to the organization, jurisdiction and functions of certain Courts of Morgan County; revising the interior court system of said county; establishing "The Morgan County Court", defining its jurisdiction and powers, providing for its officers, their election; terms of office, powers, duties, and compensation, and for costs and fees in such court, abolishing "The Morgan County Court of Morgan County, Alabama" under the special laws creating it, providing for the transfer of all cases pending in said court to "The Morgan County Court", and

providing for juvenile detention facilities in Morgan County, and juvenile probation officers and officers of the court.

was taken up.

Mr. Harris offered the following amendment to the Bill, H. B. 2811, to-wit:

AMENDMENT TO H. B. 2811

Amend by striking Section 4(c) in its entirety and substituting the following:

"(c) Where the judge of this court has served for a period of five (5) years as a judge of a court of record in Morgan County his salary shall be Two Thousand (\$2,000.00) Dollars less than the base annual salary of circuit judges, as set by statute, and where the judge of this court has not served for a period of five (5) years as a judge of a court of record in Morgan County his salary shall be Thirteen Thousand Dollars, either of which salaries shall be payable out of the general fund of the County in equal monthly installments."

Also, amend Section 10(a) by deleting from the first sentence the words "a salary equal to the salary paid court reporters in the circuit courts in the Eighth Judicial Circuit of Alabama" and substitute therefor the following:

"an annual salary of Seven Thousand (\$7,000.00) Dollars."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Dozier	Horne			—25

Nays: —0

And said Bill, H. B. 2811, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2813. To amend the title and body of Act No. 165, H-554, Regular Session 1945, (Acts 1945, Page 82), providing for the creation of a Hospital Board of Morgan County, Alabama, to manage and control

the hospital and hospital properties to be acquired by Morgan County, Alabama, and the City of Decatur, Alabama, and to provide for the membership of said board and its power, duty and authority, and the power and authority of the City of Decatur and Morgan County with reference thereto; to declare that said board is created for the purpose of continuing the operation of a hospital formerly known as Benevolent Society Hospital and is entitled to the benefits of all devises and bequests made for the benefit of said hospital, particularly the bequest made in the will of W. R. Spight, deceased, and the bequest made in the will of Mary D. Simpson, deceased, and to require the trustees of the funds so bequeathed to account to said board for the same, and to further provide for additional physician members on said Board, their mode of selection, their powers and term of office.

was taken up.

Mr. Harris offered the following amendment to the Bill, H. B. 2813, to-wit:

AMENDMENT TO H. B. 2813

By Mr. Harris:

Amend the Title of House Bill No. 2813 by striking therefrom the following words from the last sentence of said title: "provide for additional physician members on said Board, their mode of selection, their powers and term of office.", and substituting in lieu thereof the following: "provide for an additional physician, surgeon or doctor of medicine member on said board, his mode of selection, powers and term of office."

Amend Section 1 of House Bill 2813 by striking therefrom the words: "to further provide for additional members on said boards, who are physicians, surgeons or doctors of medicine" and substituting in lieu thereof the following: "to further provide for an additional member on said board who is a physician, surgeon, or doctor of medicine."

Amend Section 2 of House Bill 2813 by striking therefrom the word and figures "five (5)" wherever they appear and by substituting in lieu thereof the word and figures: "four (4)."

Amend Section 2 of said bill by striking therefrom wherever they appear the word and figures "two (2)" and by substituting in lieu thereof the word and figures: "one (1)."

Amend the paragraph in Section 2 of House Bill 2813 designated as Section 7 to read as follows: "Section 7. Phil M. Orr is hereby named and appointed as a member of the board to serve until September 30th, 1947, and until his successor is designated. L. L. Lively is hereby named and appointed as a member of the board to serve until September 30th, 1949, and until his successor is designated. T. J. Cottingham is hereby named and appointed as a member of the board to serve until September 30th, 1951, and until his successor is designated. Any vacancy in the original term of any original member of said board shall be filled by appointment of the Governor. Upon the expiration of said original terms of office the governing bodies of the county and city shall alternate in appointing successors in office, the governing body of the county to appoint the first successor. The physician member of said board shall be initially appointed for a term of three (3) years beginning October 1, 1971, and expiring September 30, 1974, and thereafter, each physician member's term shall be three (3) years. Said physician, doctor of medicine, or surgeon member shall likewise be appointed on an alternating basis by the respective governing bodies herein above described from a list of three (3) nominees submitted in writing by the

medical staff of said hospital to the said governing body due to make said appointment. All successors to the original lay members of said board shall hold office for a term of six years, and in case of a vacancy in the office of any successor it shall be filled by appointment made by the body which filled the vacant term."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	King	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

And said Bill, H. B. 2813, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	King	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 2817. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Lee County for improving enforcement of laws relative to and providing facilities for juveniles.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Wilder	
Cook	Hammond	O'Bannon	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2819. To authorize the Shelby County Governing Body to appropriate an allowance for expenses for the Shelby County Coroner.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Carr	Fine	Littleton	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2822. Relating to St. Clair County, authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Shelby
Carr	Foshee	Littleton	Vacca
Cook	Gilmore	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2826. To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act to abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office, to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor

and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, by providing in Section 5 thereof that the President of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a Member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Malone	
Bailes	Foshee	King	Pelham	
Branyon	Givhan	Lindsey	Pierce	
Carr	Hammond	Littleton	Register	
Clark	Harris	Lybrand	Shelby	
Cook	Hawkins	McLain	Vacca	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2829. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Pelham	
Clark	Foshee	Littleton	Pierce	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2830. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Wilson	
Cooper	Hammond			—25

Nays:

—0

The Bill:

H. 2831. To amend Section 1 of Act No. 332, H. 688, Regular Session 1969 (Acts 1969, p. 706) which act provides for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Carr	Hammond	Malone	Shelby	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2836. Relating to counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census; dividing all such counties which have heretofore been divided into four commissioners' districts into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district; and fixing their qualifications and term of office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Dozier	Harris			—25

Nays: —0

The Bill:

H. 1008. To provide for the compensation of jurors in Cleburne County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Shelby	
Cooper	Givhan	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 821. To provide that the Governing Body of any City or Town in the State of Alabama having a population, according to the last or any future Federal census, in excess of 175,000 inhabitants and less than 300,000 inhabitants may, by resolution or ordinance, provide that such Governing body shall have the exclusive authority to hire, demote, suspend or discharge the Chief of Police of such City or Town and to fix his compensation (not to exceed a sum prescribed herein) and his working conditions and to provide that the Personnel Director and Personnel Board and any other officials of any countywide Civil Service System in any such county shall have no right, powers, or duties with reference to the matters covered by such resolution or ordinance; to provide that any such Governing Body may, by resolution or ordinance, confer upon the Chief of Police of such City or Town authority to suspend preemptorily for a limited period and for cause any of the employees of the Police Department of such City or Town without compensation and to provide for the procedure for such suspension and that no such suspension can be contested or modified, and that the right of such suspension cannot be set aside or suspended by any such Personnel Director or Personnel Board; to provide that any such Governing Body may, by resolution or ordinance, provide that the Chief of Police of such City or Town may for prescribed causes otherwise suspend, demote or discharge any employee of the Police Department of any such City or Town, and to provide for the procedure in such cases and for the effect of such orders and appeals therefrom to such Personnel Board; to provide for appeals from any orders of any Personnel Director or Personnel Board to the Circuit Court of such County and for the procedure on such appeals, and the effect of such action of such Chief of Police and of such Personnel Director and Per-

sonnel Board to be given by the said court on such appeal, and the power of the court to vacate, modify or affirm the same; to provide for the repeal of any such resolution or ordinance and the reinstatement thereof; to define the scope and extent and powers, duties and authority of the Governing Body of any such City or Town and of the Chief of Police thereof and of any such Personnel Director and Personnel Board with reference to the demotion, suspension or discharge of any personnel of any such Police Department; to repeal all laws or parts of laws inconsistent with the provisions hereof, and to provide when this Act shall become effective.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 821, to-wit:

SUBSTITUTE FOR H. B. 821

A BILL TO BE ENTITLED AN ACT

To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the Chief of Police of such Municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Governing Body may fix the compensation of said Chief of Police.

Be It Enacted by the Legislature of Alabama:

Section 1. The Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may at its discretion provide by resolution or ordinance, that the said Governing Body may in the event the office of Chief of Police becomes vacant, fill such vacancy from the number of officers then in active service on the police force of said Municipality who hold the rank of captain or above. Such ordinance or resolution may at the discretion of the Governing Body provide for the appointment of the Chief of Police without further examination from the classes of officers prescribed herein, and without regard to any Civil Service or Personnel Board rules or regulations which may be to the contrary. Said ordinance shall further fix his compensation in an amount not to exceed \$16,104.00 per annum. Nothing in this act shall be construed to change or alter the operation of any Civil Service System in such Municipality except as provided above.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Vacca	
Carr	Harris	Lybrand	Weaver	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Noonan	Wilson	
Cooper	Jones			—25

Nays: —0

And said Bill, H. B. 821, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Branyon	Hammond	Littleton	Vacca	
Carr	Harris	Lybrand	Weaver	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Noonan	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 1009. To provide for the compensation of circuit court bailiffs in Cleburne County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Weaver	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 1344. To amend the title and Section 1 of Act No. 89, H. 212, Second Special Session 1965 (Acts 1965, p. 118), which provided expense allowances for circuit judges in certain counties classified on a population basis, payable out of the general funds of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Noonan	Shelby
Cook	Givhan	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1345. To amend the title of Act No. 767, H. 708, Regular Session 1969 (Acts 1969, p. 1365), which further regulates the salary of members of the tax equalization board, board of registration, and jury commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Carr	Fine	Lindsey	Pierce
Clark	Foshee	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1346. To amend the title and Section 1 of Act No. 60, H. 395, Regular Session 1969 (Acts 1969, p. 353), which regulates the compensation of the county superintendent of education of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham
Bailes	Gilmore	McLain	Pierce
Branyon	Givhan	Malone	Register
Carr	Hammond	Noonan	Shelby
Clark	Horne	O'Bannon	Weaver
Cook	Jones	Owen	Wilson
Dozier	Littleton		

—25

Nays:

—0

The Bill:

H. 1347. To amend the title and Section 1 of Act No. 376, H. 862, Regular Session 1963 (Acts 1963, p. 876), which authorizes and provides for a recount of the vote in certain ballot boxes on order of the circuit judge, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Hawkins	McLain	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1348. To amend the title and Sections 1 and 2 of Act No. 29, H. 27, Regular Session 1965 (Acts 1965, p. 48), which authorizes the governing body of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Lybrand	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1352. To repeal Act No. 128, H. 117, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 181), entitled, "An Act To regulate the compensation of county superintendents of education in all counties having populations of not less than 10,800 nor more than 12,000, and repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Clark	Hammond	Littleton	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1354. To amend the title and Section 1 of Act No. 385, H. 884, Regular Session 1963 (Acts 1963, p. 888), which prohibits payroll de-

duction of dues of school employees in professional organizations and prescribes punishments for violations, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Weaver	
Cook	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1045. To authorize the coroner of Talladega County to appoint a deputy coroner and to provide for the powers, duties, salary and expenses of such deputy.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1930. Relating to the organization, jurisdiction and functions of certain courts of Cleburne County; establishing the Cleburne County Intermediate Court, defining and limiting its jurisdiction and powers; providing for its officers, their election, terms, powers, duties and compensation; providing for costs and fees to be deposited in the general fund of the county; and providing for appeals from the court herein established.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Harris	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2524. To amend the title and Section 1 of Act No. 101, H. 219, Regular Session 1969 (Acts 1969, p. 383) which confers additional powers on the circuit clerk in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Weaver	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 2525. To amend the title and Section 1 of Act No. 336, H. 292, Special Session 1966 (Acts 1966, p. 480) which prescribes the times when county offices may be closed in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Carr	Fine	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2526. To amend the title and Section 1 of Act No. 366, H. 767, Regular Session 1961 (Acts 1961, p. 385) which authorizes the county commission to designate one or more state or national banks as the county depository in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Weaver	
Cook	Hammond	Owen	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2527. To amend the title and Section 1 of Act No. 327, S. 193, Special Session 1966 (Acts 1966, p. 461) which regulates the compensation of election officials in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Carr	Givhan	McLain	Pierce
Clark	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2528. To amend the title and Section 1 of Act No. 69, H. 195, Regular Session 1967 (Acts 1967, p. 402) which authorizes the county board of education to fix expense allowances for members of the board in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Carr	Hammond	Littleton	Pierce
Clark	Harris	Malone	Register
Cook	Hawkins	Noonan	Shelby
Cooper	Horne	O'Bannon	Weaver
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 2529. To amend the title and Section 1 of Act No. 362, H. 721, Regular Session 1963 (Acts 1963, p. 862) as amended which fixes the expense allowance of the county superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Weaver
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

H. 1580. To repeal Act No. 1002, S. 822, Regular Session 1969, approved September 12, 1969, entitled "An Act Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Malone
Bailes	Dozier	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	McLain	Weaver
Cooper	Hammond		

—25

Nays:

—0

The Bill:

H. 1582. Applying to Talladega County; relating to certain payments from the county treasury; fixing the amount of compensation and expense allowances that may be paid out of the treasury of such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Lybrand	Pelham
Carr	Fine	McLain	Pierce
Clark	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Weaver
Domnick	Horne		

—25

Nays:

—0

The Bill:

H. 2268. To repeal Act No. 482, S. 602, Regular Session 1969, approved August 19, 1969, entitled "An Act To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Weaver
Cook	Harris	Owen	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

H. 2269. To repeal Act No. 965, S. 336, Regular Session 1961, approved September 9, 1961, entitled "An Act Relating to powers of county governing bodies of counties having populations of not less than 62,000 nor more than 92,000, according to the 1960 or any subsequent federal decennial census; authorizing appropriations of county funds to provide ambulance service for the sick and infirm."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2270. To permit the governing body of Talladega County, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality; and to permit the providing of such service by contract or otherwise.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Register
Cooper	Hawkins	Noonan	Shelby
Dominick	Horne	O'Bannon	Weaver
Dozier	Jones	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

The Bill:

H. 2271. To provide an additional fee for recording change of ownership of motor vehicles in Talladega County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Malone	Register	
Carr	Harris	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 2272. Relating to Talladega County; permitting the governing body of the county to provide for a judicial building; providing for the location in such building of certain judicial and law-enforcement officers; and providing for the holding of county and circuit court in such building.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Noonan	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 2273. Relating to Talladega County: Providing for the re-identification of all registered voters; directing the Board of Registrars to purge the list of registered voters; providing a penalty for willfully making a false statement in connection with reidentification; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	O'Bannon	
Clark	Hammond	Littleton	Owen	
Cook	Harris	Lybrand	Pelham	
Cooper	Hawkins	McLain	Pierce	
Dominick	Horne	Malone	Register	
Dozier	Jones	Noonan	Weaver	
Edington	King			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1091. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McLain, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1091, the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. B. 1091 by striking the words "Five Dollars" in Section 2 and adding in lieu thereof the words "Two Dollars."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	King			—25

Nays:

—0

BILLS ON THIRD READING RESUMED

H. 2718. Applying to Talladega County; providing for the appointment of special judges in the County Court of Talladega County under certain circumstances; and providing for payment of said special judges.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Hammond	Lybrand	Pelham	
Branyon	Harris	McLain	Pierce	
Cooper	Hawkins	Malone	Register	
Dominick	Horne	Noonan	Shelby	
Dozier	Jones	O'Bannon	Weaver	
Edington	King			—25

Nays:

—0

The Bill:

H. 2719. To provide for and regulate the selection and empanelling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Horne	O'Bannon	Weaver	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 2720. To regulate further the qualifications and election of members of the Talladega County Board of Education: Providing that such members shall reside outside the corporate limits of a city having a city board of education and shall be elected by the qualified electors of Talladega County who live outside the corporate limits of any such city and that the electors of any such city shall not have a right to vote for members of such board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Malone	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond			—25

Nays: —0

The Bill:

H. 2759. To fix the compensation of members of the county board of education of all counties having populations of not less than 65,000 nor more than 68,000, according to the 1970 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2264. To repeal Act No. 263, S. 410, Regular Session 1967, which became a law on August 30, 1967, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; creating a "Board of Control"; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of the Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 2265. To repeal Act No. 696, S. 894, Regular Session 1969, approved September 9, 1969, entitled "An Act To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act, to provide additional taxation."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon	
Branyon	Fine	King	Owen	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilson	
Dominick	Harris			—25

Nays:

—0

The Bill:

H. 2266. Applying to Talladega County, regulating the sale of alcoholic beverages in such county; prohibiting the sale of alcoholic beverages in certain places in such county; prohibiting consumption of alcoholic beverages in certain places in such county; permitting the sale of alcoholic beverages in certain places in such county; levying a privilege or license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; providing certain rules and regulations for the enforcement and collection of the license tax levied under this Act; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax levied under this Act; prescribing penalties for violation of this Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages in such county if a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Weaver	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 2267. Applying to Talladega County; providing for a referendum to be held in such county upon certain conditions to determine whether certain alcoholic beverages can legally be sold in certain places in such county; and providing that certain alcoholic beverages can legally be sold in certain places in such county upon the holding of a referendum in such county under Section 68, Title 29, Code of Alabama, 1940, in which a majority of those voting vote "yes".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Givhan	Lindsey	Pierce	
Clark	Hammond	Malone	Register	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 182. To repeal Act No. 450, H. 1055, approved August 19, 1969 entitled "An Act Relating to cities operating under the commission form of government for more than thirty years having a population of not

less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the board of commissioners of such cities.", (Acts 1969, Vol. I, p. 892).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

RESOLUTION

Mr. Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 109. WHEREAS, the needy and neglected juvenile is most susceptible to the pitfalls of crime, drug abuse, and general misconduct; and,

WHEREAS, the Boys Ranch under the principal sponsorship of the Alabama Sheriffs Association has literally taken homeless young boys off the streets and provided them with housing, personal attention, character guidance, and educational instruction; and,

WHEREAS, Don Acton, the administrator of Boys Ranch has demonstrated his keen interest in and concern for these young men and has further shown his adroitness in resolving the complex personal problems which the residents of Boys Ranch have; and,

WHEREAS, the Sheriffs throughout Alabama and many thousands of Alabamians have supported this most worthy cause, with their time, gifts, and plain hard work; and,

WHEREAS, the success of Boys Ranch is a bright ray of sunshine in this troubled world; and,

WHEREAS, on October 14, 1971, Boys Ranch will celebrate its fifth birthday anniversary;

NOW, THEREFORE BE IT RESOLVED BY THE LEGISLATURE, Both Houses thereof concurring, that we do hereby extend our congratulations and best wishes to the Alabama Sheriffs Association, to Don Acton, and to the young men who live at Boys Ranch.

BE IT further resolved that copies of this resolution be sent to the officers of the Alabama Sheriffs Association and to Don Acton.

On motion of Mr. Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2815. To change the method of compensating the judge of probate, the tax assessor, the tax collector, the circuit clerk and register in

chancery of Lawrence County; fixing the salaries of such officers and providing for the clerical assistance, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 2815, to-wit:

SUBSTITUTE FOR H. B. 2815

A BILL TO BE ENTITLED AN ACT

To change the method of compensating the judge of probate, the tax assessor, the tax collector, the circuit clerk and register in chancery of Lawrence County; fixing the salaries of such officers and providing for the clerical assistance, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Lawrence County shall be entitled to receive compensation as follows:

- (a) For the judge of probate, an annual salary of \$14,000.00;
- (b) For the county solicitor, an annual salary of \$5,000.00;
- (c) For the tax assessor, an annual salary of \$10,000.00;
- (d) For the tax collector, an annual salary of \$10,000.00;
- (e) For the clerk of the circuit court, an annual salary of \$10,000.00;
- (f) For the register in chancery, an annual salary of \$2,500.00;
- (g) For members of county court of commissioners, an annual salary of \$3,000.00.

Such salaries shall be paid in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the judge of probate, county solicitor, tax assessor, tax collector, circuit clerk and register in chancery, hereafter shall be collected and paid into the general fund of the county. However, the sheriff shall continue to procure and prepare the food for county prisoners, at no expense to the county, and shall be entitled to retain the allowances payable by the state for such purpose.

Section 3. The governing body of Lawrence County shall provide the judge of probate, tax assessor, tax collector, circuit clerk and register with such clerical assistance, quarters, books, stationery, furniture, equipment, postage, travel expenses and such other conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Each of said officers shall have the authority to appoint such clerical assistants and

deputies as shall be authorized for his office, and they shall serve at the pleasure of the appointing authority.

On or before August 15 of each year each officer shall file with the governing body of the county a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for operation of his office during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October each year, and the budget so adopted shall make such provisions with respect to the operation of each office as the county governing body may determine reasonable and proper.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective upon the approval of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in Lawrence County, and the fees, commissions, percentages, allowances or salary of, and the method of compensating certain officers of Lawrence County; and upon the approval of this act by a majority of the electors of Lawrence County voting in a referendum to be held on the same day as the first primary election held in 1972. The governing body of Lawrence County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No., enacted by the Legislature in 1971, which changes the method of compensating certain officers of Lawrence County from the fee basis to the salary basis, be adopted? Yes () No ()." If a majority of the votes cast at the election are "Yes," the provisions of this act shall become applicable to each of the offices mentioned in Section 1 hereof upon the expiration of the term of office of the present incumbent of each of such offices provided that the amendment to the Constitution of Alabama herein mentioned is also adopted. If a majority of the votes cast in the election upon this act are "No," this act shall have no further effect. The results of the election, however, shall be certified by the probate judge of Lawrence County to the secretary of state of Alabama, who shall make a permanent record thereof.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Fine	Jones			—25

Nays: —0

And said Bill, H. B. 2815, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Clark	Givhan	McLain	Pierce	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Fine	Jones			—25

Nays:

—0

The Bill:

H. 2816. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Lawrence County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Malone	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris			—25

Nays:

—0

RESOLUTIONS

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 110. ALBERT P. BREWER LAKE POINT RESORT PARK CHANGED TO LAKE POINT RESORT STATE PARK

WHEREAS it has been announced earlier that a state vacation park will be located on the Walter F. George Reservoir near Eufaula, Alabama which is one of the most beautiful areas of this state; and

WHEREAS this scenic spot will not only be a haven of rest and recreation for native Alabamians, but it will also serve as a major attraction in bringing in tourists and visitors from other states to Alabama and in making them increasingly aware of the many advantages of vacationing in Alabama, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the name of the park previously named "The Albert P. Brewer Lake Point Resort State Park" be changed and known hereafter as "Lake Point Resort State Park". Also the lodge complex at the Park to be named "The Admirals Point" in honor of Admiral Thomas H. Moorer, Chairman, Joint Chiefs of Staff.

Which was read and referred to the Standing Committee on Rules.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 111. RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

No.	Bill No.	Page No.	Description
1	H. B. 1809	80	Telephone
2	H. B. 1800	82	Telegraph gross receipts
3	H. B. 1812	78	Freight
4	H. B. 1815	80	Railroads
5	H. B. 2780	158	Contractors
6	H. B. 990	158	Deed tax
7	H. B. 1810	76	Electric Power
8	H. B. 1811	76	Water and gas
9	H. B. 1813	82	ASETF Dist. (No money)
10	H. B. 1803	159	Mental Health Appropriation
11	H. B. 2658	157	Sales discount
12	H. B. 2661	157	Use tax
13	H. B. 2570	156	Coal gross receipts

On motion of Mr. Clark, said Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 2080. Relating to ad valorem taxation; providing for the classifications of property for purposes of taxation; and fixing percentages of fair and reasonable market value of the property in the several classes at which such property shall be valuated and taxes thereon assessed.

as amended, which said amendment is set out in the Journal of the Senate for the Thirty-third Legislative Day.

Mr. Bailes offered the following amendment to the Bill, H. B. 2080, as amended, to-wit:

AMENDMENT TO H. B. 2080

In Section 1, Class V, strike out "15 percent" and insert "25 percent".

Mr. Hawkins moved that further consideration of the Bill, H. B. 2080, as amended, and pending amendment, be postponed temporarily. Mr. Fine moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 12; Nays 21.

Yeas:

Messrs.:	Foshee	Horne	Owen	
Branyon	Givhan	Lindsey	Register	
Cooper	Hammond	Littleton	Weaver	
Fine				—12

Nays:

Messrs.:	Edington	McLain	Pierce	
Bailes	Gilmore	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Pelham	Wilson	
Dozier	Lybrand			—21

The question recurred on the motion of Mr. Hawkins that further consideration of the Bill, H. B. 2080, as amended, and pending amendment, be postponed temporarily, and the motion to postpone was then adopted.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Edington	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Jones	Noonan	Wilder	
Dominick	King	O'Bannon	Wilson	
				—23

Nays:

Messrs.:	Foshee	Horne	Register	
Branyon	Givhan	Littleton	Weaver	
Fine	Hammond	Owen		—10

SPECIAL ORDERS

The Senate proceeded to consideration of the special, paramount and continuing order for today, the first of which was the Bill:

H. 1809. To amend Title 51, Section 182, as amended, Code of Alabama 1940, as amended, to delete the exemption of the first \$50,000.00 from taxation.

And said Bill, H. B. 1809, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—33

Nays:

—0

The Bill:

H. 1800. To amend Section 183, Title 51, Code of Alabama 1940 to provide for a license tax on telegraph business measured by gross receipts rather than the mileage of the telegraph line, or lines, operated by it in the State.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne	O'Bannon		—34

Nays:

—0

The Bill:

H. 1812. To amend Title 51, Section 176, Code of Alabama 1940, as amended, to increase the amount of the license and to reduce the assessment percentages.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—33

Nays:

—0

The Bill:

H. 1815. To amend Title 51, Section 180, Code of Alabama 1940, as amended, to delete the provision for the exemption of the first one hundred fifty thousand dollars from taxation.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 1815, to-wit:

COMMITTEE AMENDMENT TO H. B. 1815

Amend H. B. 1815 by adding at the end of Section 1 the following:

"Provided, however, that no railroad shall be liable for this license or privilege tax for any year in which its gross intrastate earnings shall be less than \$150,000."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—33

Nays: —0

And said Bill, H. B. 1815, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne	O'Bannon		—34

Nays: —0

The Bill:

H. 2780. To amend Sections 1 and 2 of Act No. 308, Regular Session of the Legislature of Alabama of 1963, relating to the imposition of a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts so as to increase the rate of taxation and to make further provisions for the disposition of revenues thereof.

Was read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	

—35

Nays: —0

The Bill:

H. 990. To amend Section 618 of Title 51 of the Code of Alabama of 1940, as amended by Act No. 769 adopted at the 1953 Regular Session of the Legislature, approved September 17, 1953, so as to increase the license tax imposed on instruments conveying real or personal property, and to provide for the disposition of the proceeds resulting from said increase.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 990, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 990

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 618 of Title 51 of the Code of Alabama of 1940, as heretofore amended, which imposes and provides for a privilege or license tax on instruments conveying real or personal property as a prerequisite to the filing for record of such instruments, so as to impose and provide for an additional privilege or license tax on such instruments as a prerequisite to the filing thereof, and so as to provide for the disposition of the proceeds from the said additional tax.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 618 of Title 51 of the Code of Alabama of 1940, as amended by Act No. 769 adopted at the 1953 Regular Session of the Legislature of Alabama and approved September 17, 1953, is hereby further amended to read as follows:

Section 618. No deed, bill of sale, or other instrument of like character which conveys any real or personal property within this state, or which conveys any interest in any such property, except the transfer of mortgages on real or personal property within this state upon which the mortgage tax has been paid, deeds or instruments executed for a nominal consideration for the purpose of perfecting the title to real estate, and deeds and other instruments or conveyances executed prior to October 1, 1923, shall be received for record unless each of the privilege or license taxes imposed in subsections (a) and (b) of this section shall have been paid upon such instrument before the same is offered for record, to-wit:

(a) Upon each such instrument executed to convey real or personal property situated in this state there is hereby imposed and shall be paid a special privilege or license tax in the amount of fifty cents on each five hundred dollars or fraction thereof in value of the property conveyed by such instrument; and

(b) Upon each such instrument executed to convey real or personal property situated in this state, there is hereby imposed and shall be paid an additional special privilege or license tax in the amount of one dollar for each five hundred dollars or fraction thereof in value of the property conveyed by such instrument.

Provided, that only the value in excess of any mortgages or vendor's liens upon any property within this state on which the mortgage tax

has been paid, shall be taxable under this section, and provided further, that where several deeds or instruments are executed by tenants in common for the same consideration, only one of such instruments shall be taxable under this section. Upon the presentation of any such instrument for record the judge of probate shall determine the amount due thereon in respect of each of the taxes herein levied, and upon the payment to him of the amount of the said taxes and the applicable recording fee of the judge of probate, he shall accept such instrument for record; provided, however, that upon the presentation for record of any instrument which conveys property situated in two or more counties of this state, the judge of probate shall certify the facts of the case together with a description of the property conveyed by such instrument to the department of revenue which, after hearing such evidence as may be offered, or as it may secure, shall fix and determine the value of such property as located in each county and shall certify its determination thereof to the judge of probate, showing the value of such property in each county separately, and upon the payment to the judge of probate of the taxes due on the value of all property in this state conveyed by such instrument as so determined, together with the applicable recording fee, the judge of probate shall accept such instrument for record. The person presenting any such instrument conveying property in two or more counties of this state may secure immediate filing of such instrument for record by depositing with the judge of probate, to be held by him until the amount of the taxes due thereon is determined, an amount which in the judgment of the judge of probate will cover both the taxes herein provided for, and after the value of the property conveyed thereby is determined by the department of revenue, as provided herein, any excess of such deposit over the amount of taxes found to be due on such instrument shall be refunded to the person offering such instrument for record. The determination by the judge of probate and of the department of revenue of the amount of taxes due on any such instrument is hereby declared to be a ministerial act and shall not preclude the subsequent collection of the correct amount of the taxes herein levied if the value of the property thereby conveyed is not fully disclosed to the judge of probate or the department of revenue when such instrument is offered for record. Upon the filing for record of any instrument coming within the terms of this section the judge of probate shall certify thereon the fact that the taxes herein imposed have been paid with respect to the said instrument, the said certificate to show the amount of each such tax; and thereafter such instrument shall be received for record in any county of this state without the payment of any further taxes thereon, except the fee of the judge of probate for recording such instrument, which certificate shall be recorded with and as part of such instrument.

Upon the filing for record of any instrument which has been exempted by law from the payment of any taxes provided for in this section, the judge of probate shall certify thereon that no tax has been paid and shall stamp in bold letters on the face of said instrument the words "No Tax Collected" and said certificate shall be recorded with and as a part of such instrument, and thereafter such instrument shall be received for record in any county in this state without the payment of any further tax thereon, when submitted by the same tax exempt institution or another tax exempt institution, but if submitted by or transferred to an institution or person not exempt from the payment of the taxes levied under this section, the judge of probate shall collect the taxes levied by this section, together with the fee of the judge of probate for recording such instrument, before it will be admitted to record.

Of the tax imposed in subsection (a) of this section and collected by the judge of probate under the provisions of this section, there

shall be paid into the state treasury two-thirds of the amount so collected and the remaining one-third shall be paid into the county treasury; provided, however, that the counties' share of the said tax collected on any instrument conveying property in more than one county shall be paid into the county treasuries of the counties in which such property is situated in proportion to the value of such property as determined by the department of revenue as herein provided. The judge of probate shall receive two and one-half per cent of the tax imposed in the said subsection (a) and collected by him under the provisions of this section as his commission for collecting said tax, which shall be deducted from the total amount of the tax imposed in said subsection (a) and shall be collected and retained by him when making settlement of his collections as required by law.

The proceeds from the additional tax imposed in subsection (b) of this section and collected by the judge of probate under the provisions of this section shall be disposed of as follows: (1) the judge of probate shall receive two and one-half per cent of the amount so collected by him as his commission for making the said collection and his said commission shall be deducted from the total amount of the said additional tax imposed in the said subsection (b) and shall be collected and retained by him when making settlement of his collections as required by law; and (2) the entire residue of the proceeds from the said additional tax imposed in the said subsection (b) shall be paid into the state treasury to the credit of the Special Mental Health Fund.

Provided however, that this section shall not be so construed or enforced as to require the payment of the privilege taxes herein provided on mortgages, deeds of trust, or other instruments in the nature of a mortgage, or deeds or other instruments with vendor's lien, except as to that part of the purchase price which is paid in cash or other articles of value, and which pay no other privilege tax for recording. Provided further, that in counties where the probate judges are paid salaries the fees or commissions collected or retained by the probate judges for collecting the taxes herein provided for shall be paid by them into the treasury of their respective counties.

Section 2. Effective Date. This act shall become effective on the first day of the second calendar month after its approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 33; Nays 1.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—33

Nay: Mr. Weaver

—1

And said Bill, H. B. 990, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 30; Nays 4.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Wilson
Dozier	Horne	O'Bannon	

—30

Nays:

Messrs.:			
Dominick	Lindsey	Weaver	Wilder

—4

POINT OF PERSONAL PRIVILEGE

Mr. Vacca stated that had he been present when the votes were taken on final passage of H. B.'s 1809, 1800, 1812 and 1815, he would have voted "Aye".

BILLS ON THIRD READING RESUMED

The Bill:

H. 1810. To amend Title 51, Section 178, Code of Alabama 1940, as amended, to increase rate of taxation.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 1810, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1810

A BILL TO BE ENTITLED AN ACT

To raise revenue; amending Title 51, Section 178, Code of Alabama 1940, as amended so as to increase the rate of taxation and provide for certain exemptions therefrom; providing for the collection of the tax levied and for disposition of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 178, is amended to read as follows:

"Section 178. License tax on electric or hydroelectric public utility.—Each person, firm or corporation, other than corporations organized under Chapters 2 and 3 of Title 18, Code of Alabama 1940, as amended, operating an electric or hydroelectric public utility shall pay to the state a license tax equal to two and one-half per cent on each dollar of gross receipts of such public utility for the preceding year, except that gross receipts from the sale of electricity for resale by such electric or hydroelectric public utilities shall be deducted in computing the amount of tax due hereunder. Each corporation organized under Chapters 2 and 3 of Title 18, Code of Alabama 1940, as amended, operating an electric or hydroelectric public utility shall pay to the state a license tax equal to four mills on each dollar of gross receipts of such

corporation for the preceding year. For the first year's business where an existing electric public utility, other than a corporation organized under Chapters 2 and 3 of Title 18, Code of Alabama 1940, as amended, is taken over, such license tax payable to the state shall be equal to two and one-half per cent on each dollar of gross receipts for the preceding year of the electric utility taken over, after deduction of gross receipts derived from sales of electricity for resale and less whatever sum the prior operators shall have paid as such license tax on the gross receipts for that year. For the first year's business where a corporation organized under Chapters 2 and 3 of Title 18, Code of Alabama 1940, as amended, is taken over such license tax shall be equal to four mills on each dollar of gross receipts for the preceding year of such corporation taken over, less whatever sum the prior operators shall have paid as such license tax on the gross receipts for that year. Where no existing electric public utility is taken over, the license tax for the first year upon such utility shall be based upon the first year's business, computed as provided hereinabove, but shall in no event be less than one hundred dollars for the first year's business. Any person, firm, or corporation establishing a new electric public utility shall pay to the state the sum of one hundred dollars and shall also at the same time execute a bond payable to the State of Alabama to insure payment of whatever sum in addition to such one hundred dollars may be due when, at the end of the first year, the amount of gross receipts for the year is ascertainable. Such license tax shall be paid to the department of revenue by check payable to the treasurer and the application of such license shall be accompanied by a statement made by the president or any officer of the public utility or by the owner thereof giving the name of the person, firm, or corporation owning and operating such public utility and the principal place of business thereof, together with a statement under oath of the amount of gross receipts of such public utility for the preceding year. The books of every person, firm or corporation operating such public utility shall be at all times open to the inspection of the department of revenue. Any person failing to make such sworn statement or willfully making a false statement of the gross receipts of such public utility shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not exceeding five hundred dollars, and shall also forfeit to the state three times the amount of the license for such public utility; but no license under this schedule shall be paid to the county or counties."

Section 2. All revenues collected under the provisions of this Section shall, after deduction of the cost of collection, be distributed in the following manner: (1) eighty-five per cent of the balance remaining after deduction of the cost of collection shall be deposited in the Special Mental Health Fund to be used for mental health purposes; (2) fifteen per cent of the balance remaining after deduction of the cost of collection shall be deposited in the general fund.

Section 3. This Act shall become effective as of October 1, 1971, after its passage and approval by the Governor, or upon its otherwise becoming a law.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for the Bill, H. B. 1810, to-wit:

**COMMITTEE AMENDMENT TO THE
COMMITTEE SUBSTITUTE FOR H. B. 1810**

1) Amend the Substitute for H. B. 1810 by adding the following section immediately following Section 1:

"Section 2. All revenues collected under the provisions of this Section shall, after deduction of the cost of collection, be distributed in the following manner: (1) eighty-five per cent of the balance remaining after deduction of the cost of collection shall be deposited in the Special Mental Health Fund to be used for mental health purposes; (2) fifteen per cent of the balance remaining after deduction of the cost of collection shall be deposited in the general fund."

2) Further amend the substitute for H. B. 1810 by renumbering the present Section 2 to Section 3.

On motion of Mr. Wilson, the Committee substitute and pending amendment were laid on the table.

Yeas 20; Nays 14.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	Malone	Shelby
Clark	Hawkins	Noonan	Vacca
Cook	Jones	Pelham	Wilson
Dominick			

—20

Nays:

Messrs.:	Foshee	Lindsey	Owen
Cooper	Hammond	Littleton	Weaver
Dozier	Harris	McLain	Wilder
Fine	Horne	O'Bannon	

—14

Mr. Wilson offered the following substitute for the Bill, H. B. 1810, to-wit:

SUBSTITUTE FOR H. B. 1810

A BILL TO BE ENTITLED AN ACT

To raise revenue; amending Title 51, Section 178, Code of Alabama 1940, as amended, so as to increase the rate of taxation and provide for certain exemptions therefrom; providing for the collection of the tax levied and for disposition of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 178, is amended to read as follows:

"Section 178. License tax on electric or hydroelectric public utility.—Each person, firm or corporation, including any corporations organized under Chapters 1, 2 and 3 of Title 18, Code of Alabama 1940, as amended, operating an electric or hydroelectric public utility shall pay to the state a license tax equal to two and one-half per cent on each dollar of gross receipts of such public utility for the preceding year, except that gross receipts from the sale of electricity for resale by such electric or hydroelectric public utilities shall be deducted in computing the amount of tax due hereunder. For the first year's business where an existing electric public utility is taken over, such license tax payable to the state shall be equal to two and one-half per cent on

each dollar of gross receipts for the preceding year of the electric utility taken over, after deduction of gross receipts derived from sales of electricity for resale and less whatever sum the prior operators shall have paid as such license tax on the gross receipts for that year. Where no existing electric public utility is taken over, the license tax for the first year upon such utility shall be based upon the first year's business, computed as provided hereinabove, but shall in no event be less than one hundred dollars for the first year's business. Any person, firm, or corporation establishing a new electric public utility shall pay to the state the sum of one hundred dollars and shall also at the same time execute a bond payable to the State of Alabama to insure payment of whatever sum in addition to such one hundred dollars may be due when, at the end of the first year, the amount of gross receipts for the year is ascertainable. Such license tax shall be paid to the Department of Revenue by check made payable to the Treasurer and shall be paid quarterly, one-fourth on October first, one-fourth on January first, one-fourth on April first and one-fourth on July first and shall become delinquent on the fifteenth day of each of said months. Payment shall be accompanied by a statement made by the president or other officer of the public utility or by the owner thereof, giving the name of the person, firm or corporation owning and operating such public utility and the principal place of business thereof, together with a statement under oath of the amount of gross receipts of such public utility for the preceding year. The books of every person, firm or corporation operating such public utility shall be at all times open to the inspection of the department of revenue. Any person failing to make such sworn statement or willfully making a false statement of the gross receipts of such public utility shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not exceeding five hundred dollars, and shall also forfeit to the state three times the amount of the license for such public utility; but no license under this schedule shall be paid to the county or counties."

Section 2. The provisions of any state, county or municipal ordinance or law to the contrary notwithstanding, the tax levied and collectible pursuant to Section 1 of this Act shall be deductible from and shall not constitute a part of gross receipts for purposes of computing the amount due under any state, county or municipal tax, excise, license or fee which is based upon or measured by the gross receipts of any person, firm, municipality or corporation operating an electric or hydro-electric public utility subject to the tax levied by said Section 1.

Section 3. All revenues collected under the provisions of this Section shall, after deduction of the cost of collection, be distributed in the following manner: (1) eighty-five per cent of the balance remaining after deduction of the cost of collection shall be deposited in the Special Mental Health Fund to be used for mental health purposes; (2) fifteen per cent of the balance remaining after deduction of the cost of collection shall be deposited in the general fund.

Section 4. In the event any section, sentence, clause, phrase, part or provision of this Act shall be declared invalid, such invalidity shall not affect the validity of the remaining sections, sentences, clauses, phrases, parts or provisions of this Act, which shall continue to be effective.

Section 5. This Act shall become effective as of October 1, 1971, after its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 11.

Yeas:

Messrs.:	Dominick	Jones	Pierce
Bailes	Edington	King	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	Pelham	Wilson

—23

Nays:

Messrs.:	Fine	Harris	McLain
Cooper	Foshee	Lindsey	Owen
Dozier	Hammond	Littleton	Weaver

—11

Mr. Wilson then offered the following amendment to the Bill, H. B. 1810, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 1810 AS SUBSTITUTED

Amend H. B. 1810 as substituted by striking from Section 1 thereof wherever the same appears the phrase "two and one-half per cent" and insert in lieu thereof the phrase "two and two-tenths percent."

Mr. Fine moved that said amendment be laid on the table, and the motion to table was lost.

Yeas 12; Nays 23.

Yeas:

Messrs.:	Foshee	Lindsey	Owen
Cooper	Hammond	Littleton	Register
Dozier	Harris	McLain	Weaver
Fine			

—12

Nays:

Messrs.:	Dominick	Jones	Pelham
Bailes	Edington	King	Pierce
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson

—23

The question recurred on the amendment offered by Mr. Wilson, and said amendment was then adopted.

Yeas 23; Nays 12.

Yeas:

Messrs.:	Dominick	Jones	Pierce
Bailes	Edington	King	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	Pelham	Wilson

—23

Nays:

Messrs.:	Foshee	Lindsey	O'Bannon
Cooper	Hammond	Littleton	Owen
Dozier	Harris	McLain	Weaver
Fine			

—12

Mr. Bailes offered the following amendment to the Bill, H. B. 1810, as amended, to-wit:

AMENDMENT TO H. B. 1810 AS AMENDED

Section 1. Amend H. B. 1810 as follows:

Delete the phrase "person, firm or corporation" where ever the same appears, and substitute there for the phrase "person, firm, municipality or corporation."

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 18; Nays 17.

Yeas:

Messrs.:	Foshee	Littleton	Pelham
Carr	Givhan	Lybrand	Register
Cooper	Hammond	McLain	Weaver
Dozier	Harris	O'Bannon	Wilson
Fine	Horne	Owen	

—18

Nays:

Messrs.:	Dominick	King	Pierce
Bailes	Edington	Lindsey	Shelby
Branyon	Gilmore	Malone	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Jones		

—17

Mr. Fine offered the following amendment to the Bill, H. B. 1810, as amended, to-wit:

AMENDMENT TO H. B. 1810 AS AMENDED

Amend H. B. 1810 by striking from Section 1 thereof wherever the same appears the phrase "two and two-tenths percent" and insert in lieu thereof the phrase "three and two-tenths percent."

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 23; Nays 12.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Gilmore	King	Pierce
Branyon	Givhan	Lybrand	Register
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson

—23

Nays:

Messrs.:	Fine	Lindsey	Owen
Carr	Foshee	Littleton	Shelby
Cooper	Hammond	McLain	Weaver
Dozier			

—12

Mr. Cooper moved that further consideration of the Bill, H. B. 1810, as amended, be postponed temporarily. On motion of Mr. Wilson, the motion to postpone was laid on the table.

Yeas 31; Nays 4.

Yeas:

Messrs.:	Fine	Jones	Owen
Bailes	Foshee	King	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Edington	Horne	O'Bannon	Wilson

—31

Nays:

Messrs.:			
Cooper	Dozier	Lindsey	Weaver

—4

And said Bill, H. B. 1810, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 1.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones	Owen	

—34

Nay: Mr. Fine

—1

The Bill:

H. 1811. To amend Title 51, Section 177, Code of Alabama 1940, as amended, to increase the rate of taxation.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 1811, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1811

A BILL TO BE ENTITLED AN ACT

To amend Section 177, Code of Alabama 1940, to increase the License Tax levied thereby.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 177 of the Code of Alabama of 1940, is hereby amended to read as follows:

Section 177. License Tax of Gross Receipts.—For each person operating a public utility, such as street railroad or interurban railroad operated by electricity or other motive power, water works, gas company, pipe lines company for transporting or carrying gas, oil, gasoline, water or other commodities, gas distributing companies whether by means of pipe line or by tanks, drums, tubes, cylinders, or otherwise, heating companies or other public utility, except electric, hydroelectric, telephone or telegraph companies, railroad or sleeping car companies and express companies, which are otherwise licensed shall pay to the State a license tax equal to two and one-half per cent (2.5%) on each dollar of gross receipts of such public utility in this State for the preceding years. For the first year's business (1) where an existing public utility is taken over, such license tax payable to the State shall be equal to two and one-half per cent (2.5%) on each dollar of the gross receipts for the preceding year of the public utility taken over, less whatever sum the prior operators have paid as such license tax on the gross receipts for that year. (2) Where no existing public utility is taken over such license tax for the first year, as well as for the second year, shall be based on the first year's business, but shall in no event be less than one hundred dollars for the first year's business, provided where business is started after April first the payment shall be not less than fifty dollars. Any person establishing a new public utility shall pay to the State the sum of one hundred dollars where operation is begun between October first and April first, and fifty dollars when operation is begun after April first and shall also at the same time execute a bond, payable to the State of Alabama, to insure payment of whatever sum, in addition to the one hundred dollars, or fifty dollars, which may be due when at the end of the first year or if operation begun after April first the amount of the gross receipts are ascertainable. Such license tax shall be paid to the Department of Revenue by check made payable to the Treasurer and shall be paid quarterly, one-fourth on October first, one-fourth on January first, one-fourth on April first and one-fourth on July first and shall become delinquent on the fifteenth day of each said months, based upon gross receipts for the preceding year or half year, if operations begun after April first. The payment of such license shall be accompanied by a sworn statement made on forms furnished by the Department of Revenue, by the president, manager, or operating officer of the public utility or by the owner, receiver or trustee thereof, giving the name of the person, firm or corporation owning and operating said public utility, and the principal place of business thereof, showing the gross receipts of such public utility for the preceding year. The books of every person operating a public utility shall be at all times open to the inspection of the Department of Revenue. Any person failing to make such sworn statement or wilfully making a false statement of the gross receipts of such public utility shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding five hundred dollars, and shall also forfeit to the State three times the amount of the license on said utility, but no license under this schedule shall be paid to county or counties.

Section 2. This Act shall become effective on October first after its approval by the Governor or upon its otherwise becoming a law.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute for the Bill, H. B. 1811, to-wit:

**COMMITTEE AMENDMENT TO
THE SUBSTITUTE FOR H. B. 1811**

(A) Amend the substitute for H. B. 1811 by adding the following Section immediately following Section 1:

"Section 2. All revenues collected under the provisions of this Section shall, after deduction of the cost of collection, be distributed in the following manner: (1) sixty-eight per cent of the balance remaining after deduction of the cost of collection shall be deposited in the Special Mental Health Fund to be used for mental health purposes; (2) thirty-two per cent of the balance remaining after deduction of the cost of collection shall be deposited in State General Fund."

(B) Amend the substitute for H. B. 1811 by renumbering the present Section 2 to Section 3.

Which was adopted.

Mr. Pelham offered the following amendment to the substitute, as amended, for the Bill, H. B. 1811, to-wit:

SENATE AMENDMENT TO SUBSTITUTE FOR H. B. 1811

Amend the title by adding the word and figure, "Title 51," after the figure 177.

Also in Section 1 add the word and figure "Title 51," after the figure 177 in line one.

Which was adopted.

And said Committee substitute, as thus amended, for the Bill, H. B. 1811, was then adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dozier	Hawkins	Noonan	Wilson

—31

Nays:

—0

And said Bill, H. B. 1811, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 32; Nays 1.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hammond	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Jones	O'Bannon	Wilder
Dozier	King	Owen	Wilson
Edington			

—32

Nay: Mr. Foshee

—1

The Bill:

H. 1813. To amend Title 51, Section 910, Code of Alabama of 1940, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 1813, to-wit:

COMMITTEE AMENDMENT TO H. B. 1813

Amend Section 1 of House Bill 1813 by striking the figure "178" wherever it appears therein.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Register
Clark	Givhan	Littleton	Vacca
Cook	Hammond	Lybrand	Weaver
Cooper	Harris	McLain	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier			

—32

Nays:

—0

And said Bill, H. B. 1813, as thus amended, was then read a third time at length and passed.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Foshee	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Register
Cook	Harris	McLain	Shelby
Cooper	Hawkins	Malone	Vacca
Edington	Horne	Noonan	Weaver
Fine	Jones	O'Bannon	Wilson

—31

Nays: Messrs. Branyon, Wilder

—2

BILL RECONSIDERED

On motion of Mr. Wilson, the Senate reconsidered the vote by which the Bill, H. B. 1811, as amended, was passed.

On motion of Mr. Wilson, the Senate reconsidered the vote by which the Bill, H. B. 1811, as amended, was ordered to its third reading.

Mr. Wilson then offered the following amendment to the Bill, H. B. 1811, as amended, to-wit:

AMENDMENT TO HOUSE BILL 1811

(A) Amend H. B. 1811 by adding the following Section immediately following Section 1:

"Section 2. All revenues collected under the provisions of this Section shall, after deduction of the cost of collection, be distributed in the following manner: (1) eighty-five per cent of the balance remaining after deduction of the cost of collection shall be deposited in the Special Mental Health Fund to be used for mental health purposes; (2) fifteen per cent of the balance remaining after deduction of the cost of collection shall be deposited in State General Fund."

(B) Amend H. B. 1811 by renumbering the present Section 2 to Section 3.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—33

Nays: —0

And said Bill, H. B. 1811, as thus amended, was again read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
				—35

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1803. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

was taken up.

Mr. O'Bannon offered the following amendment to the Bill, H. B. 1803, to-wit:

AMENDMENT TO H. B. 1803

1. Amend H. B. 1803 by deleting paragraph (c) of Sub-Section 2 thereof and substitute therefor the following:

(c) To the State Mental Health Department:

For operation and maintenance.

For the fiscal year ending

September 30, 1972, estimated 23,891,737.50

For the fiscal year ending

September 30, 1973, estimated 28,140,793.75

2. Amend H. B. 1803 by adding to Section 1, Subsection (2), thereof, between paragraph (e) and the last paragraph of Section 1 on page 2 of the bill, the following paragraph:

(f) To the State Mental Health Department:

For the Operation of the Community Mental Health Centers.

For the fiscal year ending

September 30, 1972 \$2,600,000.00

For the fiscal year ending

September 30, 1973 \$3,400,000.00

Mr. Wilson moved that said amendment be laid on the table, which motion was lost.

Yeas 10; Nays 24

Yeas:

Messrs.:	Cooper	Owen	Shelby	
Carr	Foshee	Pelham	Wilson	
Clark	Harris	Register		—10

Nays:

Messrs.:	Fine	King	Noonan	
Bailes	Gilmore	Lindsey	O'Bannon	
Branyon	Givhan	Littleton	Pierce	
Cook	Hawkins	Lybrand	Vacca	
Dominick	Horne	McLain	Weaver	
Dozier	Jones	Malone	Wilder	
Edington				—24

The question was then on the amendment offered by Mr. O'Bannon, which was adopted.

Yeas 27; Nays 5.

Yeas:

Messrs.:	Dozier	Jones	Noonan	
Bailes	Edington	King	O'Bannon	
Branyon	Fine	Lindsey	Pierce	
Clark	Gilmore	Littleton	Register	
Cook	Givhan	Lybrand	Shelby	
Cooper	Hawkins	McLain	Vacca	
Dominick	Horne	Malone	Wilder	
				—27

Nays:

Messrs.:	Harris	Pelham	Wilson	
Carr	Owen			—5

And said Bill, H. B. 1803, as thus amended, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Malone	Weaver
Dominick	Horne	Noonan	Wilder
Dozier			

—32

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Drake:

H. J. R. 223. PROVIDING FOR ADDITIONAL STAFF AND EXPENSES FOR THE LEGISLATURE

WHEREAS, there has been an ever increasing demand upon the staff of the Legislature and particularly upon the presiding officers of each House of the Legislature who serve upon many committees, including the Interim Committee on Finance and Taxation, Ex Officio, Fiscal Study Interim Committee, Fiscal Advisory Committee to the Governor, Legislative Council, Commission on Intergovernmental Cooperation, Legislative Committee on Public Accounts, Alabama Constitutional Commission, Tombigbee Valley Development Authority, Coosa Valley Development Authority, Interim Committee on Revenue, Ex Officio, Member of the Alabama Corrections Institution Finance Authority, various fiscal study committees, as well as on numerous other interim committees, all of which along with their other duties require extensive attention and travel both within and without the state during the time that the Legislature in not in session as well as during the time the Legislature is in session; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the staff of the Legislature is hereby increased by the addition of one secretary for the Legislative Committee on Public Accounts, one administrative assistant each and one additional secretary each for the respective presiding officers of each house whose salaries shall be set by the Clerk of the House and the Secretary of the Senate. The Clerk of the House of Representatives and the Secretary of the Senate are hereby instructed to pay out of funds appropriated to the use of the Legislature the reasonable expenses of the presiding officers of each House of the Legislature incurred in the performance of their duties. In addition to the above, the Clerk of the House and the Secretary of the Senate shall pay the reasonable expenses of the presiding officers incurred within or without the State while on business of the State and including the salaries and actual travel expenses of the individuals included in the above additions to the legislature's staff and such other office expenses, equip-

ment and supplies reasonably necessary to the operation of the aforesaid offices.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 223, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2658. Relating to the State sales tax: To amend Section 34 of Act No. 100 of the Second Extraordinary Session of the Legislature of Alabama 1959, so as to limit the allowance of the discount for collection thereof and provide for the use of revenue accruing to the State by reason of such reduction.

was taken up.

Mr. Vacca offered the following amendment to the Bill, H. B. 2658, to-wit:

AMENDMENT TO H. B. 2658

H. B. 2658 is hereby amended so that Section 1 thereof now reads as follows:

"Section 1. Section 34 of Act No. 100, H. 94 of the Second Extraordinary Session of the Legislature of Alabama of 1959, (Acts of Alabama 1959, p. 298) is hereby amended to read as follows:

'Section 34. For the purpose of compensating persons licensed under the provisions of this Act in the accounting for and remitting of the taxes levied, each such person shall be allowed to retain in the form of a discount in submitting his report and paying the amount due by him five (5%) percent of the first one hundred (\$100) dollars of taxes levied, two (2%) percent of the taxes levied in excess of one hundred (\$100) dollars but not exceeding one thousand (\$1,000) dollars and one (1%) percent of the taxes levied in excess of one thousand (\$1,000) dollars by this Act and due and payable to the state for a given calendar month. Provided, however, that no discount shall be authorized or allowed upon any taxes which are not paid before delinquency, as in this Act provided.'

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 223. Providing for additional staff and expenses for the Legislature.

On motion of Mr. Fine, said Resolution was then concurred in and adopted by the Senate.

Mr. Fine moved that the Senate reconsider the vote by which the Resolution, H. J. R. 223, was adopted, and further moved that his motion to reconsider be laid on the table. The motion to table prevailed.

RESOLUTION

Mr. Fine offered the following Senate Resolution, to-wit:

S. R. 112. WHEREAS, H. J. R. 223, recently enacted by the House and Senate, provides for the payment by the Secretary of the Senate certain salaries and expenses, and on behalf of the Lieutenant Governor's office; and

WHEREAS, the office of the Lieutenant Governor has taken on a new scope and dimension in State Government, being the State's second highest Constitutional office, and is providing many more services and benefits to the people of Alabama; and,

WHEREAS, more demands are being placed on the Lieutenant Governor, in addition to his role as presiding officer of the Senate, which in itself requires almost fulltime attention to the office, especially at times when the Legislature is not in session; and,

WHEREAS, it is desirable to specify for the Secretary of the Senate certain designated items of expense to be paid as directed among others.

BE IT RESOLVED BY THE SENATE OF ALABAMA AS FOLLOWS:

1. That the Secretary of the Senate is hereby directed to carry out the provisions of the aforesaid H. J. R. as directed by the Lieutenant Governor.

2. That the term "expenses" referred to in said H. J. R. shall include, but but not be limited to, all actual and necessary expenses incurred by the Lieutenant Governor's office which shall include all office supplies, stationery, postage and postal charges, telegrams, telephones and telephone service, equipment purchases and rentals, maintenance and repairs on equipment, travel, and other miscellaneous expenses incurred by the Lieutenant Governor related to the carrying out of the duties of his office, as directed by the Lieutenant Governor.

3. That in addition to the monthly expense payment now allowed to the Lieutenant Governor, an additional sum shall be paid to the Lieutenant Governor each month in the form of an allowance for reasonable and necessary expenses incurred in the exercise of his official duties not otherwise provided for by law. The amount of said expense allowance shall be determined and set by the Senate Ethics Committee, which said Committee shall promptly advise the Secretary of the Senate. This monthly expense allowance shall be paid for only as long as the Lieutenant Governor maintains a residence in Montgomery and maintains a full time office in the State Capitol.

4. This resolution shall in no way affect the validity of H. J. R. 223, but is intended to clarify certain portions thereof.

5. All of the above mentioned sums are to be paid as directed in said H. J. R. from funds mentioned therein.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 210. Encouraging the protection of forests.

On motion of Mr. Lindsey, said Resolution was then concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 110. Albert P. Brewer Lake Point Resort Park changed to Lake Point Resort State Park.

The Rules Committee reported the following substitute, for the Resolution, S. J. R. 110, to-wit:

SUBSTITUTE TO S. J. R. 110 BY RULES

WHEREAS there is under construction a State Vacation Park located on the Walter F. George Reservoir near Eufaula, Alabama which is one of the most beautiful areas of this state; and

WHEREAS this scenic spot will not only be a haven of rest and recreation for native Alabamians, but it will also serve as a major attraction in bringing in tourists and visitors from other states to Alabama and is making them increasingly aware of the many advantages of vacationing in Alabama, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the name of the park previously named be shortened and renamed "Lake Point Resort State Park". Also the lodge complex at the park be named "The Admiral's Point" in honor of Admiral Thomas H. Moorer, Chairman, Joint Chiefs of Staff.

Which was adopted.

And said Resolution, S. J. R. 110, as thus amended by the substitute, was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 82. To create a commission called the Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1971-73 biennium; providing for transportation facilities for the commission and for expenses of the commission.

Mr. Noonan offered the following amendment to the Resolution, S. J. R. 82, to-wit:

AMENDMENT TO S. J. R. 82

Amend S. J. R. 82 by deleting in the second to last line of the resolution the figure "\$50,000" and substituting in lieu thereof the figure "\$15,000".

Which was adopted.

Mr. Dominick offered the following amendment to the Resolution, S. J. R. 82, as amended, to-wit:

AMENDMENT TO S. J. R. 82

Amend S. J. R. 82 by adding at the end of the first sentence the following words:

"provided, that one of said members shall be selected from Senate Seaports Committee and one member from the House Committee most similar in nature and purpose and three members from the State at large."

On motion of Mr. Cooper, further consideration of the Resolution, S. J. R. 82, as amended, and pending amendment was postponed temporarily.

RESOLUTIONS

Messrs. King, Dominick, Cook, Bailes, Hawkins, Vacca, Gilmore and Edington offered the following Senate Resolution, to-wit:

S. R. 113. Mourning the death of former Congressman George Huddleston, Jr.

WHEREAS, Honorable George Huddleston, Jr. passed away on Tuesday, September 14, 1971; and

WHEREAS, George Huddleston, Jr. served illustriously Jefferson County, the State of Alabama, the South and our Nation in the United States House of Representatives during the period 1955-1964, inclusive, and

WHEREAS, the sudden loss of George Huddleston, Jr. has shocked and saddened his many admirers and friends throughout Alabama; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we do deeply mourn the death of this outstanding leader, and we do extend our heartfelt sympathy to his widow, Mrs. Alice Jeanne Huddleston, their three children, and his mother, Mrs. George Huddleston, Sr.

BE IT FURTHER RESOLVED That the Secretary of the Senate send a copy of this Resolution to the widow and to the mother of the deceased.

On motion of Mr. King, the Rules were suspended and said Resolution was adopted by the Senate.

Messrs. Hawkins, King, Dominick, Cook, Bailes, Lybrand, Weaver, Vacca and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 114. INVITATION TO BOBBY AND DONNIE ALLISON TO VISIT THE LEGISLATURE.

WHEREAS this Legislature is deeply grateful for the notoriety and fame brought to the State of Alabama by the brilliant performance by two of the worlds greatest race car drivers, Bobby and Donnie Allison; and

WHEREAS Their performance both on and off the race track places them in the elite of their profession, and they are held in highest esteem by their fans and fellow drivers; and

WHEREAS the Allison brothers have not only brought fame to Hueytown, Alabama, but have also placed Alabama as a whole on the map in this most dangerous and skilled sport; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an invitation is hereby cordially extended to both Bobby and Donnie Allison to visit the Alabama Legislature,

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Allison brothers along with members of their respective families.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Givhan, Foshee, Owen, Littleton, Malone, Fine, Jones, Pierce, Weaver, Wilder, McLain, Clark, Register, Branyon, Harris, Dozier, Horne, Bailes, Noonan, O'Bannon, Hawkins, Cook, Wilson, Vacca, Carr, Hammond, Cooper and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 115. EXTENDING THE JOINT INTERIM COMMITTEE ON AGRICULTURE

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution, and the first legislative day of the 1975 regular legislative session, which shall make a study of the condition of agriculture in the state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1975 regular session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee.

The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work.

The total expenditures of the committee in any fiscal year shall not exceed ten thousand dollars, inclusive of per diem legislative pay.

Which was read and referred to the Standing Committee on Rules.

Mr. Carr offered the following Senate Joint Resolution, to-wit:

S. J. R. 116. WHEREAS, the Senate substituted a bill authored by Representative Charles Grainger providing strong methods for controlling the pollution of water in this state; and

WHEREAS, Senate Bill 79 as substituted has been accepted by the House and sent to the Governor for his signature; now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That Senate Bill 79 be known as "The Grainger Water Pollution Act";

BE IT FURTHER RESOLVED, That the Honorable Charles Grainger of Huntsville be commended on his outstanding work done in the field of water pollution control legislation.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 460. To further identify creditable years of service under the State Employees' Retirement System.

Also:

S. 255. To further provide for supernumerary district attorneys.

Also:

S. 1142. To amend Code of Alabama, 1940, Title 5, Section 131, so as to authorize and approve the use of automatic unmanned cash dispensing machines by banks on each day of the week including Sunday.

Also:

S. 963. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, parties to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

Also:

S. 964. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the

partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 304. To provide for the operation of cotton wagons over the public roads of the state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 304, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 304

In Section 1 strike out the period at the end of the first sentence, and insert in lieu thereof the following:

, but it shall not be lawful to tow such wagons on any interstate or limited access highway in the State.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Cooper	Gilmore	Owen	
Bailes	Dominick	Givhan	Pelham	
Branyon	Dozier	Horne	Pierce	
Carr	Edington	King	Weaver	
Clark	Fine	Littleton	Wilder	
Cook	Foshee	Noonan		—22

Nay: Mr. Jones —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 557. Regulating the compensation of Legislative Reference Analysts or persons in other similar positions, who are employed by the Legislative Reference Service subject to the provisions of the Merit System; providing that the rate of compensation of such persons shall never be less than the rate of compensation prescribed for attorneys in corresponding ranks in the classified service.

Also:

S. 1051. To amend Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution within this State; etc., by amending Section 1 (k), Section 1 (l) (5) and Sections 2, 7 (c), 10 (c), 15 and 16 (a) of said Act to the end that the requirements of said Act will be at least equal to requirements imposed by the provisions of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act.

Also:

S. 249. To abolish primary elections of political parties in all cities and towns of 300,000 population or less; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

And the Speaker of the House has named as Conferees on the part of the House Messrs. Hardin, Warren and Grainger.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1233. To amend Act No. 74, H. 39, of the Special Session of 1967 (Acts 1967, p. 105) which Act creates and provides for organization and functioning of a board of jury supervisors for Dale County in lieu of the jury commission, so as to increase the membership of this board.

Also:

S. 1234. To provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties.

Also:

S. 1235. To authorize the Etowah County Commission to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the Etowah County Commission, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investment for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Also:

S. 1236. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the tax assessor to employ a clerk to perform duties imposed on the tax assessor under Code of Alabama 1940, Title 51, Sections 66, 67, and 68.

Also:

S. 1240. To alter or re-arrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Also:

S. 1241. Relating to Wilcox County; to make it unlawful to kill, take or catch fish from the public waters of said county by the use of gill nets; and to prescribe the penalties for any person, firm or corporation who violates the provisions of this Act.

Also:

S. 1244. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

Also:

S. 1245. To provide for the election of members of the County Board of Education of Autauga County, Alabama; to define the school districts from which the members of the County Board of Education are elected.

Also:

S. 1249. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 329. Relating to the Twelfth Judicial Circuit of Alabama; providing for separation of the Jury by consent in the Circuit Courts of the Counties composing such circuit.

Also:

S. 775. Relating to counties having populations of not less than 110,000 nor more than 150,000 inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Also:

S. 330. To regulate the compensation of Jurors in the Twelfth Judicial Circuit of Alabama.

Also:

S. 485. To repeal Act No. 631, S. 556, Regular Session, 1969, (Acts 1969, p. 1157), which relates to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Also:

S. 1190. To amend Act No. 1191, Regular Session 1969, an act applying only in counties having populations not less than 300,000 nor more than 500,000 and providing for the establishment of the Juvenile Division of the Circuit Court of the circuit composed of the county in which such Juvenile Court exists.

Also:

S. 916. To repeal Act No. 31, H. 96, Third Special Session 1965 (Acts 1965 Third Special Session, v. 1, p. 239) an Act to provide per diem compensation payable out of the county treasury to the county sheriff for attending sessions of an inferior court created by law in counties of not less than 21,900 nor more than 22,300 population.

Also:

S. 1212. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

Also:

S. 1213. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

Also:

S. 1214. To fix the salaries of the judge and the clerk of the Calhoun County Court.

Also:

S. 1223. Relating to Wilcox County; to provide for the salary of the chief deputy of such county to be not less than \$500.00 nor more than \$600.00 for each month said chief deputy serves and the salary of all other deputies of such county to be not less than \$400.00 nor more than \$500.00 for each month said deputies serve.

Also:

S. 1224. Relating to Conecuh County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Also:

S. 1225. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the Authority; and authorizing any municipality in such counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

S. 1230. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 451. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude counties and municipalities in the State from levying any tax, license or other charge or fee other than ad valorem taxes on the production, treating, processing, ownership, selling, buying, storing or marketing of oil or gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transportation of oil or gas produced in the State of

Alabama; to authorize and provide for the payment to counties and municipalities in which oil or gas wells are located of a portion of the severance tax levied by said Act No. 2; and to repeal laws in conflict herewith.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 107. Relative to creating and establishing a state agency to be known as the Birmingham National Geological Monument Commission.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. McCluskey:

H. 2844. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF SYLACAUGA, TALLADEGA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The East Half of the Southeast Quarter (E½ of SE¼) of Section 24, Township 21 South, Range 3 East, Talladega County, Alabama.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
TALLADEGA COUNTY**

Personally appeared before me, a Notary Public in and for said County Mrs. W. A. Moody, Jr., who, being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA ADVANCE, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: June 24, July 1, July 8, and July 15. 1971.

MRS. W. A. MOODY, JR.

Subscribed and sworn to before me this 15th day of July, 1971.

H. C. KRAMER, JR.,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2844. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 2125. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to im-

plement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by forecloseable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 222. To regulate further arrests at the scene of a traffic accident; to authorize certain uniformed law enforcement officers to make arrests at such scenes without a warrant under certain conditions and circumstances.

Also:

H. 1826. Relating to Dale County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Also:

H. 1827. Relating to the County Commission of Dale County; re-dividing the county into four Commission districts; providing for the election and terms of the members of the Commission and for the election of a fifth member as Chairman of the Board of Commissioners, relieving the Probate Judge of all his duties and authority as Chairman of the Commission.

Also:

H. 1828. Relating to Dale County, authorizing nighttime hunting of raccoons, bobcat and fox with a rifle or shotgun; repealing conflicting laws.

Also:

H. 1923. To repeal Act No. 576, S. 538, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1062) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances for the members of the county governing body" and to provide an effective date.

Also:

H. 1274. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Dale County; and the regulation of costs and charges of courts in said county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 495. To amend Section 133 of Title 5, Code of Alabama, 1940, relating to banks and banking; requiring banks to remit at par.

Also:

H. 77. To require election officials to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

Also:

H. 76. To allow persons who receive articles for services, to dispose of such articles when they are not claimed for certain periods of time, without being liable to their owners.

Also:

H. 59. To amend Section 16 of Act No. 181, H. 245, General Acts of Alabama 1939 (Acts 1939, p. 300), so as to increase the fee for duplicate driver's license, and to prescribe the penalty for the making of a false affidavit to obtain a duplicate license.

Also:

H. 1864. To provide for the regulation of the construction of water wells, to provide a system of reporting information concerning the drilling of water wells and results, to provide for the licensing of water well drillers, to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act, creating a board to be known as the Alabama Water Well Standards Boards, to provide for the qualification, appointment and removal of board members and the filling of vacancies and fixing their tenure of office, and providing penalties for violation of this Act.

Also:

H. 2076. To amend Act No. 470 Regular Session of 1969, Vol. I, page 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

Also:

H. 256. To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

Also:

H. 95. To provide that the county boards of education shall have the power to establish and maintain kindergartens and playgrounds for children within their jurisdiction.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1250. To provide an additional expense allowance for each court reporter in the 8th Judicial Circuit.

Also:

H. 2042. Relating to the City of Athens in Limestone County; providing for the term of the Mayor and for overlapping terms of the members of the City Council.

Also:

H. 2043. Further regulating the meetings of the county board of registrars in counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

Also:

H. 2135. Relating to counties having a population of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to provide that where the chairman of the governing body of such counties is authorized to employ a clerk to whom he may delegate any clerical or purely administrative duty and that the salary of such clerk shall be established and provided for by the county governing body.

Also:

H. 2044. To provide expense allowance for the incumbent Circuit Court Clerk in all counties having a population of not less than 39,500 nor more than 41,750, said allowance to commence October 1, 1971, and to expire at the end of the term of the office of the incumbent Circuit Court Clerk to be payable out of the general funds of the respective counties.

Also:

H. 2045. To provide for the compensation and expense allowances for certain officers and employees and to provide additional allowances for the employment of deputies, clerks and other assistants in all counties having a population of not less than 39,500 nor more than 41,750.

Also:

H. 2016. To repeal Act No. 189, H. 245 approved August 28, 1964, an Act relating to the Sheriff's deputies; number; tenure; and compensation in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

Also:

H. 2017. To repeal Act No. 216, H. 207 approved May 10, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector, sheriff, circuit court clerk, probate judge and county court judge in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 258).

Also:

H. 2018. To repeal Act No. 38, H. 8 approved June 28, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector and circuit court clerk in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 367).

Also:

H. 2019. To repeal Act No. 66, H. 55 approved February 7, 1956, an Act relating to the expenditures for offices of probate judge, sheriff,

tax collector, tax assessor and circuit court clerk in certain counties on a population basis (Acts of Alabama Special Sessions 1956 vol. I, p. 99).

Also:

H. 2028. To repeal Act No. 382, H. 880 approved August 30, 1963, an Act relating to counties having a population of not less than 76,000 nor more than 96,000: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification (Acts of Alabama 1963 vol. 2, p. 884).

Also:

H. 2029. To repeal Act No. 190, H. 246 approved August 28, 1964, an Act relating to the salary and expense allowance of judge of probate in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1039. To amend Section 4 of Act Number 205 1966, Special Session to provide actual and necessary expenses for members of the Board of Pharmacy while engaged in the performance of duties of the Board and to provide payment for relief pharmacist.

Also:

H. 317. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for special investigators, investigations, travel and other necessary expenses incurred in investigations and enforcement of the law.

Also:

H. 2677. To fix the salaries and allowances of certain officers in St. Clair County and to provide for clerical assistance, office space, equipment and supplies necessary for the conduct of their offices; to remove the Register from the fee basis, placing Register on salary, basis of compensation and fixing salary thereof; provide that all fees charged or collected by certain officers of the county be paid into the county treasury; repeal all acts or parts of acts in conflict with this Act; provide for a referendum election to be held pursuant to Amendment 196 of the Alabama Constitution of 1901.

Also:

H. 2675. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

Also:

H. 2131. For the purpose of enforcing the laws relative to children; to define further a delinquent child in all counties having populations of not less than 60,000 nor more than 65,000

Also:

H. 2202. To provide each county commissioner and the chairman of each county commission in counties having populations of not less than 17,000 nor more than 20,000 an expense allowance, such allowance to be payable out of the general fund of the county.

Also:

H. 2311. To provide that the county commission shall set the salary of deputy sheriffs at an amount not to exceed \$700 per month in counties having a population of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census.

Also.

H. 287. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2497. To provide for supplemental salary to be paid by Henry County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Henry County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Also:

H. 2507. Relating to counties having a population of not less than 15,650, nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

Also:

H. 2508. To amend the title and Section 1 of Act No. 492, H. 1046, Regular Session 1965 (Acts 1965, p. 712) which repeals special county excise taxes in certain counties classified on a population basis.

Also:

H. 2522. To provide that St. Clair County construct, repair, and maintain all county roads on the basis of the County as a unit without regard to district or beat lines; to designate the duty of the county governing body to employ a county engineer and the qualifications for said engineer; to fix and designate the duties, powers, and authority of said county engineer, and to fix the amount of his bond, provide for the approval of same and payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the county engineer as the person to make requisitions for road supplies and equipment; to designate the county engineer as custodian of all tools, machinery, supplies, and equipment relating to roads in St. Clair County; to provide for the setting aside of road funds by the county commission, and for the expenditure of the same; to provide for emergencies; to further provide the duties of the members of the county commission; to provide travel and other expenses for the members of the county commission in carrying out the duties imposed on them by the provisions of this Act; to repeal all laws in conflict with this Act, and to expressly repeal Act No. 168 of the Regular Session of the Legislature of 1953.

Also:

H. 2523. To provide for a Personnel Appeals Board for St. Clair County and for any city over 5,000 population in said county; to prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County and any city in said county to which this act applies; and to give the act a retroactive effect.

Also:

H. 2539. To repeal Act No. 712, H. 999, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1550), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

Also:

H. 2540. To repeal Act No. 609, H. 742, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1410), entitled, "An Act To create an inferior court for counties having populations of not less than 22,372 nor more than 24,000; to replace county courts of counties having populations of not less than 22,372 nor more than 24,000."

Also:

H. 2541. To repeal Act No. 287, H. 934, approved August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing expense allowances for members of the governing bodies of such counties."

Also:

H. 2542. To repeal Act No. 169, H. 156, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 236), entitled, "An Act To provide a clerk for the county commission or other like governing body in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census, to prescribe the duties of such clerk and to provide for his salary."

Also:

H. 2543. To repeal Act No. 212, H. 165, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To apply in all counties having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county."

Also:

H. 2544. To repeal Act No. 113, H. 155, approved July 7, 1965, Regular Session 1965 (Acts 1965, p. 173), entitled, "An Act To provide for the appointment of additional deputy sheriffs in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census."

Also:

H. 2545. To repeal Act No. 240, H. 284, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 324), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

Also:

H. 2546. To repeal Act No. 239, H. 283, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 323), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

Also:

H. 2547. To repeal Act No. 210, H. 164, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 240), entitled, "An Act To provide for and regulate the compensation of county engineers of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

Also:

H. 2548. To repeal Act No. 288, H. 935, approved, August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), as amended, entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties."

Also:

H. 2549. To repeal Act No. 37, H. 106, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 251), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by arti-

ficially propagated upland birds in all counties having populations of not less than 22,350 nor more than 24,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2025. To repeal Act No. 924, S. 31 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax assessor in certain counties on a population basis (Acts of Alabama 1961 Regular Special Sessions Vol. II, p. 1483).

Also:

H. 2026. To repeal Act No. 923, S. 30 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax collector in certain counties on a population basis (Acts 1961 Regular Special Sessions, Vol. II, p. 1483).

Also:

H. 2027. To repeal Act No. 77, H. 31 approved June 27, 1963, an Act relating to counties having populations of not less than 76,000 nor more than 115,000, providing for meetings of the board of registrars in such counties (Acts of Alabama 1963 Organizational 1st and 2nd Special Regular Sessions vol. I, p. 454).

Also:

H. 2084. To apply only in counties having a population of not less than 76,000 nor more than 80,000; providing for the Chairman or President of the County Commission, or other like governing body to pay to any county employee whose salary is received from said County Commission, or other like governing body, sums as sick leave during any temporary illness or disability of said employee.

Also:

H. 2178. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to authorize establishment of branch banks.

Also:

H. 2181. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for clerk hire allowance for the judges of probate of said counties.

Also:

H. 2183. To amend further Act No. 102, H. 237, Regular Session 1935 (Local Acts 1935, p. 38), which relates to the selection of the superintendent of education and prescribes his duties, qualifications, compensation and term of office, so as to provide further for his compensation.

Also:

H. 2184. To abolish the criminal and quasi-criminal jurisdiction of justices of the peace and notaries public ex officio justice of the peace elected or appointed for any precinct in Macon County, and transferring such jurisdiction to the Inferior Court of Macon County.

Also:

H. 2187. Relating to counties having populations of not less than 24,500 and no more than 25,000, according to the most recent decennial census; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

H. 2188. To repeal Act No. 114, H. 216, approved July 7, 1965; entitled, "Relating to counties having populations of not less than 26,600 nor more than 26,800 inhabitants according to the 1960 or any subsequent decennial census of the United States: authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire." (Acts, 1965, Regular Session, Volume 1, p. 174).

Also:

H. 2189. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 24,500 nor more than 25,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

H. 2190. To repeal Act No. 146, H. 446, approved, August 1, 1961; entitled, "To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 25,750 nor more than 27,000 according to the last or any subsequent decennial census of the population of the United States." (Acts 1961, Vol. 1, P. 189.)

Also:

H. 2191. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for deputy sheriff and the minimum amount and payment of their compensation.

Also:

H. 2193. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census.

Also:

H. 2194. To repeal Act No. 691, S. 512, approved September 1, 1965; entitled, "To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000 according to the most recent federal decennial census." (Acts 1965, Regular Session Volume II, p. 1284).

Also:

H. 2195. Relating to counties having populations of not less than 24,500 and not more than 25,000, according to the most recent decennial census; providing an additional monthly mileage allowance for members of the governing body, including the chairman, of such counties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2196. To repeal Act No. 216, H. 669, approved July 25, 1969; entitled, "Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body, of such counties to be used in attending certain conventions." (Acts 1969, Regular Session, Volume I, p. 535.)

Also:

H. 2197. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

Also:

H. 2340. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Also:

H. 2341. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Also:

H. 2344. To repeal Act No. 1002, S. 822 approved September 12, 1969, an Act relating to the compensation of certain county officers, allowance for clerical assistance for board of equalization, jury commission, and board of registrars, and the supplemental salaries of certain officers of circuit court (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1875).

Also:

H. 2345. To repeal Act No. 368, H. 406 approved September 12, 1966, an Act relating to all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census; regulating the salaries of the members of the jury commission (Acts of Alabama Special Session 1966, p. 508).

Also:

H. 2346. To repeal Act No. 926, H. 1335 approved September 12, 1969, an Act relating to the Sanitary Barber Law and barber commission in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. II, p. 1665).

Also:

H. 2347. To repeal Act No. 370, S. 421 approved August 10, 1965, an act relating to the salary and allowance of members of governing body in counties having populations of not less than 65,000 nor more than 95,000 (Acts of Alabama 1965 Vol. I, p. 504).

Also:

H. 2349. To repeal Act No. 1020, S. 871 approved September 12, 1969, an Act relating to the county governing body having authorization to provide payment of certain expenses incurred by the sheriff and members of the county governing body in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1900).

Also:

H. 2460. Relating to counties having populations of not less than 56,500 nor more than 59,000; providing for the purchase of vehicles for the Sheriff's Department of said county; the upkeep, repair, and purchase of equipment for said vehicles; the purchase of uniforms for Sheriff's deputies, and expenses incurred in transporting prisoners and mental patients out of said counties from the Public Highway and Traffic Fund in said counties at the discretion of the County Commission.

Also:

H. 2461. Authorizing the county governing body of counties of not less than 56,500 population nor more than 59,000 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Leslie and/or Jo Ann Trawick to compensate for certain damages.

Also:

H. 2462. To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the

depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Also:

H. 2463. To apply to Houston County, relating to authority of said County to borrow additional money not to be used for any other purpose than that for which the general funds of the County may now be used; not to total more than \$50,000.00, with interest not to exceed 7% per annum; not to exceed one year in duration and not to mature later than February 1st of the year following that in which the loan is made.

Also:

H. 2471. To authorize the Director of Conservation to open a season in Monroe County for the hunting of female deer or unantlered male deer.

Also:

H. 2472. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Monroe County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1004. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

Also:

H. 2332. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

Also:

H. 2401. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Also:

H. 2402. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Also:

H. 2403. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Also:

H. 2615. Relating to certain offices and officers of Dale County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Also:

H. 2616. To consolidate and combine the offices of circuit clerk and register in equity for Dale County; and to provide compensation for such office subject to the ratification of a constitutional amendment.

Also:

H. 2618. Relating to Dale County; prohibiting the sale of alcoholic beverages in certain places.

Also:

H. 2619. To apply in counties having populations of not less than 25,150 nor more than 26,500; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Law and Equity Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences for Continuing Legal Education.

Also:

H. 2620. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

Also:

H. 2625. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

Also:

H. 2626. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Also:

H. 2627. To repeal Act No. 484, H. 932, 1961 Regular Session pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Also:

H. 2630. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

Also:

H. 2632. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Also:

H. 2633. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

Also:

H. 2634. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Also:

H. 2635. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Also:

H. 2636. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Also:

H. 2637. To authorize and make provisions for the incorporation in any county having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census, of an authority as a public corporation for the purpose of constructing, leasing, building, installing, acquiring, owning, operating, maintaining, equipping, using and controlling marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings, and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in connection therewith; to provide that in order for any such authority to be organized application be made to the govern-

ing body of the county in which said authority is to be organized and to the governing body of at least one municipality therein, and the permission for organization of such authority be granted by such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to provide that the county in which any authority has been organized and each municipality which duly authorized the authority may aid and cooperate in the planning, undertaking construction, extension, improvement or operation of facilities as described therein, and may lend or donate to such authority money, property, or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking construction, and operation of facilities of an authority organized pursuant to this act; to authorize the issuance by such authority of interest-bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of such bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge by any of the revenues of such authority to which its right then exists or may thereafter come into existence, and by foreclosable mortgage on any property of such authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture by the said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding and effective against third parties without notice from the time a statement thereof is filed in the Office of the Judge of Probate of the county in which such authority is organized, and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Also:

H. 2629. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings, including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the $\frac{1}{4}$ of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 801. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and deliver revenue bonds in exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

Also:

H. 894. To regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor; to provide that the sale, offering for sale, distribution and transportation of certain highly toxic pesticides may be restricted, limited in use or prohibited; to require the annual registration of pesticides with the Commissioner of Agriculture and Industries before such products are sold, offered for sale or delivered or transported within this State; to require use permits for the purchase and use of restricted use pesticides; to require a special license for the sale or offering for sale of any restricted use pesticides; to create and establish a Pesticide Advisory Committee to perform certain duties in connection with the administration of this Act; and to provide for the administration and enforcement of this Act by the Commissioner of Agriculture and Industries with exemption provisions; authorizing the adoption of rules and regulations to carry out the purpose of this Act; to provide enforcement and penalty provisions for violations of this Act, and to repeal conflicting laws.

Also:

H. 311. To amend Section 396, Title 51, Code of Alabama 1940, as amended, which relates to fiduciary returns and to remove the requirement that the returns be made under oath.

Also:

H. 312. To amend Section 406, Title 51, Code of Alabama 1940 which relates to corporation returns and the officials authorized to sign the returns; to remove the requirement that the return be sworn to by such officials.

Also:

H. 313. To amend Section 426, Title 51, Code of Alabama 1940 relating to excise tax on financial institutions and the officials authorized

to sign returns; to remove the requirement that the return be sworn to by such official.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2375. To prohibit cities, or any agencies thereof, having populations of not less than 22,500 nor more than 36,500 from collecting outside the corporate limits of said cities any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision relative to residential buildings or structures; to provide that building code provisions may be enforced within the police jurisdiction of said cities, but to limit the collection of all fees and charges for inspection or enforcement relative to residential buildings or structures to the area within the corporate limits of the cities.

Also:

H. 2006. Relating to Lauderdale County, regulating and prescribing the qualifications of persons engaged in the bail bond business and in the business of providing surety bonds under Act No. 704, Section 24, H. 475 (Acts of Alabama 1951, p. 1239), and further provides for satisfaction of any final judgment on such bail bond or surety bond issued by such persons herein described.

Also:

H. 1874. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

Also:

H. 262. To provide a Uniform Standards Code for the construction of Mobile Homes to be sold within this State; prescribing certain licenses and the fees therefor; providing for the administration and enforcement of the provisions of this Act; prescribing penalties for the violation of the provisions hereof.

Also:

H. 2286. Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation.

Also:

H. 1151. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so that they may promulgate rules and regulations for regulating assistants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; restricting liability and responsibility for the acts or omissions of assistants to physicians to the licensed physician or physicians responsible for the control and direction of the activities of such assistants, and providing that no other person, firm, corporation or organization shall be liable or responsible for such activities; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

Also:

H. 758. To provide that any bank situated in Blount County or having a branch or authorized place of business in Blount County may, with the approval of the Superintendent of Banks, establish, maintain and operate a branch bank in the town of Snead, Alabama, a municipality in said Blount County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2062. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, so as to increase the rate of the tax levied in said act to eight cents per gallon.

Also:

H. 2317. To amend Section 11 of Act No. 674 of the 1961 Regular Session of the Legislature so as to increase the fee charged for an inspection marker for motor vehicles and to provide for the disposition of the proceeds therefrom.

Also:

H. 37. To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license.

Also:

H. 45. To amend further Title 2, Section 660, Code of Alabama, 1940, as last amended, to increase the number of appointive members on the State Soil and Water Conservation Committee from three appointive members to six such members who are soil and water conservation district supervisors, and to provide that no more than one supervisor member may be appointed from each of the six geographical areas of soil and water conservation districts, as created under Section 661, Title 2 of the Code of Alabama, 1940; and to provide for the maximum annual compensation of the administrative officer of the state soil and water conservation committee.

Also:

H. 39. To amend Section 38 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the method of obtaining and cost of resident state fishing licenses.

Also:

H. 261. To create a continuing women's commission; providing for the operation of such commission; providing for its compensation; defining its duties.

Also:

H. 324. To amend Act No. 755, H. 49, Regular Session 1967, approved September 8, 1967 (Acts, 1967, p. 1609) which relates to super-numerary tax collectors, tax assessors, license commissioners, or other elected officials charged with the assessment and/or collection of ad valorem taxes in the various counties of the State; amending such Act relative to the required prior service, and to prescribe repayment of contributions in certain instances.

Also:

H. 1851. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

Also:

H. 2308. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial cen-

sus; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; and relieving the probate judge of all duties with respect to the county governing body; and fixing the compensation of the commissioners.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 209. COMMENDING THE UNIVERSITY OF ALABAMA FOOTBALL TEAM.

Also:

H. J. R. 211. REQUESTING LOCAL BOARDS OF EDUCATION NOT TO OVERLOAD SCHOOL BUSES.

Also:

H. J. R. 216. Congratulating Representative and Mrs. Fred Bar-kett on their recent marriage.

Also:

H. J. R. 218. Naming the new Band Building at Auburn University the "Goodwin Building."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 80. Relating to education; providing for The Drug Abuse Education Act of 1971; establishing a program of drug, narcotic, alcohol and tobacco education; providing for the administration and regulation of such program; and providing an appropriation therefor.

Also:

H. 461. To amend Title 13, Section 241, Code of Alabama, 1940, pertaining to expenses of district attorneys outside of their home counties.

Also:

H. 1021. To provide for the retirement of employees under the State Retirement System who have obtained the age of 50 and have at least 30 years service and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Also:

H. 1124. To amend Sections 1, 5, 7, and 8 of Act No. 515, H. B. 93, Approved July 9, 1945 (General Acts 1945, Page 734), as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 881. To provide a Uniform Standards Code for the protection of life and property.

Also:

H. 368. To amend Section 12(2), Title 51, Code of Alabama 1940, Recompiled 1958, relating to tax on non-profit associations.

Also:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

Also:

H. 29. To provide that any person who is an employee or retired employee of the State and covered by or retired under the State Employee Retirement System and who becomes director or other employee of any department may elect to continue or resume his participation in said retirement system, and to provide that the appropriate department may expend any funds appropriated to it for matching such employee's contributions to the retirement systems under the provisions of this Act.

Also:

H. 128. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

Also:

H. 175. Relating to the Eighth Judicial Circuit; providing for additional circuit court judge in such circuit.

Also:

H. 437. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize and require the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Also:

H. 584. To authorize the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

Also:

H. 732. To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the Standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971-72 and 1972-73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies.

Also:

H. 991. To further amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended by Act No. 118, H. 35, Legislature of 1965, approved September 30, 1965 (Acts of 1965, 2nd and 3rd Spec. Sessions, p. 163), and Act regulating the labeling, sale, offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; amending Section 10 of said Act, as amended, which relates to the annual permit and permit fee required to be paid for the sale, offering for sale, distribution and processing of agricultural, vegetable, herb, tree, shrub or flower seeds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 146. Providing for continuation of the Joint Committee established by H. J. R. 107, Act No. 483, approved September 6, 1957, to study the problems involved in the production and processing of cotton.

Also:

H. J. R. 155. HONORING BRUCE V. HAIN.

Also:

H. J. R. 156. HONORING JOHN BLANTON FOR OUTSTANDING SERVICE TO HIS COUNTRY AND HIS STATE.

Also:

H. J. R. 161. Honoring the Alabama Charioteers, a Junior Drum and Bugle Corps.

Also:

H. J. R. 162. Honoring the City of Jasper for winning an award for excellence for the Municipal Water Works Boards in the State of Alabama.

Also:

H. J. R. 164. Commending Mr. L. C. McMillan.

Also:

H. J. R. 166. COMMENDING AND CONGRATULATING HONORABLE MARVIN DODSON.

Also:

H. J. R. 167. Honoring Dr. Zelia Stephens and naming a building after her on the Alabama State University Campus.

Also:

H. J. R. 168. Honoring William H. Benson and naming a building at Alabama State University after him.

Also:

H. J. R. 175. To name Highway 101 in Lauderdale County the Don L. Michael Memorial Highway.

Also:

H. J. R. 180. COMMENDING REPRESENTATIVES PHIL SMITH AND MURRAY P. McCLUSKEY FOR THEIR HOSPITALITY SHOWN TO THE MEMBERS OF THE LEGISLATURE ON SUNDAY, AUGUST 22, 1971, AT THE TALLADEGA 500 STOCK CAR RACE.

Also:

H. J. R. 181. Designating the S. D. Bishop State Junior College at Mobile.

Also:

H. J. R. 185. NAMING THE NEW COMPLEX AT SHELTON STATE TECHNICAL INSTITUTE THE HAROLD I. JAMES MECHANICAL TECHNOLOGY BUILDING.

Also:

H. J. R. 186. NAMING H. B. 198 "THE TIMMONS AND LYBRAND INSURANCE ACT."

Also:

H. J. R. 190. Naming the Health Building at Snead Junior College for Lurleen Wallace.

Also:

H. J. R. 199. MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO HAVE THE UNITED STATES POST OFFICE ISSUE A COMMEMORATIVE STAMP HONORING THE UNITED SPANISH WAR VETERANS.

Also:

H. J. R. 203. DESIGNATING THE AUBREY J. CARR SCENIC DRIVE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate.

S. 122. To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 161. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other per-

sons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials; to establish a legislative code of ethics and provide for its enforcement; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 223. Providing for additional staff and expenses for the Legislature.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 255. To further provide for supernumerary district attorneys.

Also:

S. 963. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions

for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, parties to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

Also:

S. 460. To further identify creditable years of service under the State Employees' Retirement System.

Also:

S. 964. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

Also:

S. 1142. To amend Code of Alabama, 1940, Title 5, Section 131, so as to authorize and approve the use of automatic unmanned cash dispensing machines by banks on each day of the week including Sunday.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate

Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 414. To provide a Uniform Alabama Controlled Substances Act for preventing drug abuse and drug dependence, to standardize all laws in this state to be in conformity with the new Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, and to repeal existing state statutes in conflict.

Also:

S. 960. Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide clerical assistants for certain officers of the circuit court in such counties and to prescribe the compensation therefor.

Also:

S. 1058. Relating to all counties having populations of not less than 52,500 nor more than 54,000, according to the most recent federal decennial census; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Also:

S. 807. To amend Title 22, Section 199, Code of Alabama 1940, to further provide for the care of patients; nonresident patients; reports as to patients; and charges for treatment in tuberculosis hospitals by establishing the number of subsidized beds for indigent tuberculosis patients and further providing for operation of clinics for treatment and control of tuberculosis.

Also:

S. 1091. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF S. J. R. 82

The Senate proceeded to further consideration of the Resolution, S. J. R. 82, as amended. The question was on the amendment offered by Mr. Dominick. On motion of Mr. Noonan, said amendment was laid on the table.

And said Resolution, S. J. R. 82, as amended, was then adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 2658

The Senate proceeded to further consideration of the Bill, H. B. 2658. The question was on the amendment offered by Mr. Vacca.

On motion of Mr. Wilson, further consideration of the Bill, H. B. 2658, and pending amendment, was postponed temporarily as Unfinished Business.

Also, on motion of Mr. Wilson, further consideration of the Bills, H. B.'s 2661 and 2570, was postponed temporarily as Unfinished Business.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 117. RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

H. B. 1804 Page 160 Capital Outlay

H. B. 1801 Page 64 General Fund Appropriation Bill

H. B. 9 Page 6 Legislative Reference Service

On motion of Mr. Clark, said Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 137. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

said Conference Report being in words and figures, to-wit, as follows:

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL 137

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, H. B. 137, have met and considered the matter referred and beg leave to report as follows:

We recommend that the Senate recede from its amendments to the bill;

We recommend that the following substitute for the bill be adopted by both houses and that the bill as amended by the substitute be passed.

MAYER W. PERLOFF
JOHN S. CASEY
JAMES C. WOOD
RICHARD DOMINICK
FRED RAY LYBRAND
DON HORNE

SUBSTITUTE FOR H. B. 137

A BILL
TO BE ENTITLED
AN ACT

Relating to domestic relations, particularly to marriage and divorce; prescribing the style of proceedings relative to domestic relations; prescribing the effect of a divorce decree; and providing for an additional ground of divorce by amending Code of Alabama 1940, Title 34, Section 20.

Be It Enacted by the Legislature of Alabama:

Section 1. When a divorce decree is entered, in effect, it is awarded to both parties to the marriage.

Section 2. Code of Alabama 1940, Title 34, Section 20, as amended, is hereby further amended to read as follows:

"Section 20. DIVORCE; BY WHAT COURT, AND ON WHAT GROUNDS GRANTED. (a) The Circuit Court in equity has power to divorce persons from the bonds of matrimony, upon a petition filed by one of the parties, entitled "In re the marriage of _____ and _____", for the causes following: 1. In favor of either party, when the other was, at the time of the marriage physically and incurably incapacitated from entering into the marriage state. 2. For adultery. 3. For voluntary abandonment from bed and board for one year next preceding the filing of the bill. 4. Imprisonment in the penitentiary of this or any other state, for two years, the sentence being for seven years or longer. 5. The commission of the crime against nature, whether with mankind or beast, either before or after marriage. 6. For becoming addicted after marriage to habitual drunkenness or to habitual use of opium, morphine, cocaine or other like drug. 7. Upon application of either the husband or wife, when the court is satisfied from all the testimony in the case, that there exists such a complete incompatibility of temperament that the parties can no longer live together. 8. In favor of either party, when the other, after marriage, shall have been confined in an insane asylum for a period of five successive years; if such party from whom a divorce is sought is hopelessly and incurably insane at the time of the filing of the bill. Provided, however, that the superintendent of the insane asylum in which such person is confined shall make a certified statement, under oath, that it is his opinion and belief, after a complete and full study and examination of such person, that such person is hopelessly and incurably insane. 9. Upon application of either party, when the court finds there has been an irretrievable breakdown of the marriage and that further attempts at reconciliation are impractical or futile and not in the best interest of the parties or family.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the report of the Committee of Conference was again read at length and passed.

And said Bill, H. 137 together with the Report of the Committee of Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dominick, the Senate concurred in and adopted the Report of the Committee on Conference on the disagreement between the two houses on the Senate amendment to the Bill, H. B. 137, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 17; Nays 2.

Yeas:

Messrs.:	Dominick	Lindsey	Noonan	
Bailes	Edington	Littleton	O'Bannon	
Carr	Foshee	Lybrand	Shelby	
Cook	Hawkins	Malone	Wilder	
Cooper	King			—17

Nays: Messrs. Fine, Weaver —2

REPORT OF COMMITTEE OF CONFERENCE
ON SENATE BILL 250

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, S. B. 250, have met and considered the matter referred and beg leave to report as follows:

We recommend that the following substitute for the bill be adopted by both houses and that the bill as amended by the substitute be passed.

ROLAND COOPER
W. H. LINDSEY, III
GENE McLAIN
JAMES E. WARREN
L. GARDNER BASSETT
BERT BANK

A BILL
TO BE ENTITLED
AN ACT

To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. All fully budgeted school bus drivers (excluding students), mechanics, and maintenance workers not now covered by the

Teachers' Retirement System of Alabama or Employees' Retirement System of Alabama, who are employed by any County or City Board of Education or the governing board of any public school in Alabama regardless of the source from which and the manner in which their salaries are paid, may become members of the Teachers' Retirement System of Alabama, provided such persons elect within six months after the effective date of this Act to accept the benefits of the Code of Alabama, 1940, Title 52, Chapter 14, as amended. Such persons may signify their desire to become members of the Teachers' Retirement System by enrolling through their employer and the Secretary-Treasurer of the Teachers' Retirement System within said six months' period. Any person hereafter employed in these positions shall be deemed to be a "teacher" within the meaning of such word in the Teachers' Retirement System law and shall be entitled to the benefits thereof. Except that those employees who become members under this Act shall not be entitled to \$72.00 multiplied by the number of years of creditable service for service retirement nor \$54.00 multiplied by the number of years for disability retirement.

Section 2. Any person presently employed in the capacity as set out in Section 1 hereof shall be entitled to receive credit for all service in such capacity rendered by him prior to the effective date of this Act, provided that such person pays to the Secretary-Treasurer of the Teachers' Retirement System within six months from the effective date of this Act, a sum equal to the total contributions which he would have made as a member during the period of such employment from September 1, 1941 to the effective date of this Act.

Section 3. The several County and City Boards of Education and other governing bodies of any public schools employing school bus drivers, mechanics, and maintenance workers in the public schools under their separate jurisdiction are hereby authorized and directed to provide for the deductions from the salaries of such persons or for the collection in some other manner of each of such employee contributions to the Teachers' Retirement System as prescribed by law or regulations of the Board of Control of the Teachers' Retirement System of Alabama.

Section 4. There is hereby appropriated to the Board of Control of the Teachers' Retirement System of Alabama out of any funds in the Alabama Special Educational Trust Fund the sum of \$1,300,000.00 for the fiscal year ending September 30, 1972 and the sum of \$1,300,000.00 for the fiscal year ending September 30, 1973 for the purpose of carrying out the provisions of this Act. Thereafter appropriations out of the Alabama Special Educational Trust Fund for said purpose shall be included in the regular biennial appropriations to the Teachers' Retirement System of Alabama.

Section 5. This Act shall become effective October 2, 1972.

CONFERENCE REPORT

On motion of Mr. Cooper, the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 250. To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or

the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Yeas 19; Nays 1.

Yeas:

Messrs.:	Cook	Givhan	O'Bannon	
Bailes	Dominick	Hammond	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Malone	Shelby	
Clark	Gilmore	Noonan	Wilder	—19

Nay: Mr. Lybrand —1

And said Bill, S. B. 250, as thus amended by the Conference Report, was again read at length and passed.

Yeas 23; Nays 1.

Yeas:

Messrs.:	Dozier	Harris	O'Bannon	
Branyon	Edington	Horne	Owen	
Clark	Fine	Lindsey	Pelham	
Cook	Gilmore	Littleton	Register	
Cooper	Givhan	McLain	Shelby	
Dominick	Hammond	Noonan	Wilder	—23

Nay: Mr. Lybrand —1

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 804

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, S. B. 804, have met and considered the matter referred and beg leave to report as follows:

We recommend that the following substitute for the bill be adopted by both houses and that the bill as amended by the substitute be passed.

ROLAND COOPER
KENNETH HAMMOND
ROBERT W. WEAVER
JAMES E. WARREN
CHARLES E. GRAINGER
W. E. HARDIN

A BILL TO BE ENTITLED AN ACT

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at

night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm or corporation to take or catch, by any means or device, deer, whether dead or alive, from the public waters of Alabama.

Section 2. It shall be unlawful for any person, firm or corporation to take, capture or kill deer at night in Alabama by any means or device, including but not limited to the use of any type of light.

Section 3. A violation of either section of this Act shall constitute a misdemeanor and upon conviction the person, firm or corporation violating same shall be punished by a fine of not less than Five Hundred Dollars (\$500), and at the discretion of the court may also be imprisoned in county jail for not longer than sixty (60) days, for the first offense. Any person, firm or corporation convicted the second time of violating either section of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Thousand Dollars (\$1,000), and at the discretion of the court may also be imprisoned in the county jail for not longer than ninety (90) days. Any person, firm or corporation convicted of violating either section of this Act the third or subsequent times shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Thousand Dollars (\$1,000), and at the discretion of the court may also be imprisoned in the county jail for not less than ninety (90) days nor longer than six months.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 5. All laws or part of laws in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Cooper, the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Pelham
Bailes	Edington	Horne	Pierce
Branyon	Fine	Littleton	Register
Carr	Foshee	Lybrand	Shelby
Clark	Givhan	Noonan	Weaver
Cook	Hammond	O'Bannon	Wilder
Cooper	Harris	Owen	

—26

Nays: —0

And said Bill, S. B. 804, as thus amended by the Conference Report, was again read at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Jones	Pelham	
Branyon	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	Noonan	Wilder	
Cooper	Hammond	O'Bannon		—22

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and as amended has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 70. Relative to creating a Health Study Commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Cooper moved that the Senate non-concur in the following House amendment to the Resolution, S. J. R. 70, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. J. R. 70

S. J. R. 70. WHEREAS, It is the right of every citizen to have access to adequate health care, regardless of social status, area of residence, or economic position, and

WHEREAS, It is the responsibility of the State of Alabama, in the exercise of its Constitutional powers, to adopt all measures necessary to assure the availability of health care services, and

WHEREAS, There is an apparent need for innovative approaches to provide additional access to health care services, and

WHEREAS, There now appears to be an urgent need for careful study into such areas as (1) entry into the health care systems, (2) delivery of highest quality health care services, (3) adequate supply and distribution of trained manpower, (4) financing, (5) consumer health education, and (6) consumer protection against over-utilization and excessive charges, and

WHEREAS, The availability of the aforementioned health care services has now been brought to the forefront in the 1971 Regular Session of the Alabama Legislature by the introduction of over two hundred health-related bills, including House Bill 841 and Senate Bill 492, which bills propose to restructure the State Board of Health, now therefore be it

RESOLVED, Both Houses concurring, that there immediately be created a Health Study Commission to make recommendations to the Legislature in such areas as (1) entry into the health care systems, (2)

delivery of highest quality health care services, (3) adequate supply and distribution of trained manpower, (4) financing, (5) consumer health education, and (6) consumer protection against over-utilization and excessive charges, and be it further

RESOLVED, That the Health Study Commission also be directed to determine and make recommendations on the best composition of the State Board of Health and other health-related matters, and be it further

RESOLVED, That the Health Study Commission shall be composed of thirteen qualified members as follows: five duly licensed physicians chosen by the Medical Association of the State of Alabama, one of which shall be a physician-educator; one dentist chosen by the Alabama Dental Association; one registered professional nurse chosen by the Alabama State Nurses' Association; one veterinarian chosen by the Alabama Veterinary Medical Association; one hospital administrator chosen by the Alabama Hospital Association; one pharmacist chosen by the Alabama Pharmaceutical Association; one member of the Health Committee of the House of Representatives chosen by the Speaker of the House; one member of the Senate Health Committee chosen by the President of the Senate; and one member of the public at large chosen by the members of the Commission, as appointed, and be it further

RESOLVED, That the Commission shall be authorized to appoint such advisory and consulting committees as it may deem necessary, and be it further

RESOLVED, That all State agencies are hereby instructed to cooperate with the said Health Study Commission in the performance of its duties and that the Commission or its representatives shall be empowered to utilize existing studies compiled by said State agencies, and be it finally

RESOLVED, That as a final function the Commission shall report its conclusions and recommendations to the Speaker of the House, President of the Senate and the Governor of the State of Alabama not later than the third legislative day of the 1973 Regular Session of the Alabama Legislature.

Mr. Bailes moved as a substitute motion that the Senate concur in the House amendment to the Resolution, S. J. R. 70. Mr. Cooper moved that the motion to concur be laid on the table, which motion was lost.

Yeas 10; Nays 17.

Yeas:

Messrs.:	Edington	Malone	Owen	
Clark	Harris	Noonan	Shelby	
Cooper	Littleton	O'Bannon		—10

Nays:

Messrs.:	Dominick	Horne	Pelham	
Bailes	Dozier	Jones	Pierce	
Branyon	Givhan	King	Weaver	
Carr	Hammond	Lybrand	Wilder	
Cook	Hawkins			—17

The question was then on the substitute motion that the Senate concur in the House amendment to the Resolution, S. J. R. 70, which motion was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Littleton	Pelham
Branyon	Givhan	Lybrand	Pierce
Carr	Gilmore	McLain	Shelby
Cook	Hammond	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Edington	Jones		

—29

Nays:

—0

CONFERENCE REPORT ON S. B. 681

We, the undersigned members of the Committee on Conference, appointed to reconcile the differences between the two houses on the House amendment to Senate Bill 681, beg leave to report as follows:

Said Conference Committee has been unable to reach an agreement; the House Conferees voted in favor of the House amendment to the Bill, S. B. 681, which would lower the salaries of the Montgomery County Commission, and the Senate Conferees voted in favor of the Bill, S. B. 681, as it was introduced, which would raise the salaries.

We therefore request that, since the differences are irreconcilable, we be discharged.

W. TOM JONES

J. J. PIERCE

ROBERT H. WILDER

JAMES D. HARRIS, JR.

FRED R. JONES

SAM W. TAYLOR

CONFERENCE REPORT

On motion of Mr. Pierce, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen
Clark	Givhan	Lybrand	Pierce
Cook	Hammond	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington	Lindsey		

—25

Nays:

—0

And in accordance with the provisions of said Conference Report, the President and Presiding Officer discharged Messrs. Jones, Pierce and Wilder as Senate Conferees.

RESOLUTION

Mr. Fine offered the following Senate Resolution, to-wit:

S. R. 118. EXPRESSING APPRECIATION TO JUDY BOND, INC.

WHEREAS, the beautiful and fashionable blouses made by Judy Bond, Inc. are favorites nation-wide among discriminating, fashion-conscious women; and

WHEREAS, many of these lovely blouses are made at one of the several Judy Bond plants located in this State, the operation of which contributes immeasurably to the economy of Alabama; and

WHEREAS, Judy Bond, Inc. has generously given each member of the Senate one of its lovely blouses for his wife; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That, on behalf of ourselves and our wives, we heartily thank Judy Bond, Inc. for this magnanimous gesture; we thoroughly appreciate not only their thoughtful generosity in presenting us these beautiful blouses, but we also appreciate the fact that they have located several plants in this State which are a most valuable asset to the State; and we hereby extend to them a warm welcome to Alabama.

BE IT FURTHER RESOLVED That the Secretary of the Senate shall forward a copy of this resolution to Mr. Jim Byrd, Brewton Fashions, Inc. East Rankin Street, Brewton, Alabama; Mr. Ted Marantz, Judy Bond, Inc., 1375 Broadway, New York, New York 10018; and Mr. Ray Parrot, Red Level Fashions, Brunson Drive, Red Level, Alabama.

On motion of Mr. Fine, the Rules were suspended and said Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

H. 1804. To make appropriations from the State Treasury for capital improvements.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 1804, to-wit:

FINANCE AND TAXATION SUBSTITUTE FOR H. B. 1804

A BILL TO BE ENTITLED AN ACT

To make appropriations from the State Treasury for capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for the fiscal years ending September 30, 1972, and September 30, 1973, to be used

for capital improvements only, the following amounts for the specific projects:

Section 2. ARMORY COMMISSION:

For the fiscal year ending
September 30, 1972:

For the construction of an armory at Dothan	\$ 75,000.00	
For the construction of an armory at Montgomery	110,000.00	
For the Installation of Intrusion Detection Systems at armories	50,000.00	
For the purchase of land adjacent to Headquarters Alabama National Guard	52,000.00	
Total		287,000.00

For the fiscal year ending
September 30, 1973:

For the construction of an armory at Luverne	50,000.00	
For the construction of an armory at Prattville	75,000.00	
For the construction of an armory at Prichard	60,000.00	
Total		185,000.00

The above appropriations shall be paid from the State General Fund.

Section 3. STATE BUILDING COMMISSION:

(a) For the fiscal year ending September 30, 1972:

For construction and equipping a building for the use of the Department of Agriculture and Industries	300,000.00
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The above appropriation shall be paid from the State General Fund.

(b) For construction and equipping Welcome Centers for the use of the Bureau of Publicity and Information

35,000.00

The above appropriation in sub-section (b) shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

Section 4. DEPARTMENT OF CONSERVATION:

(a) State Parks Division:

For the purpose of completing the construction and equipping and furnishing of the four (4) regional parks and the district parks now under construction in substantial accordance with approved master plans and/or architectural engineering plans on file in the Department of Conservation	4,000,000.00
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For the fiscal year ending September 30, 1972:

For the construction of restrooms, picnic tables, barbecue pits and other shelters, and for landscaping and fencing of a lake in DeKalb County at Sylvania, Alabama	35,000.00
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The above appropriations shall be paid from the State General Fund.

Section 5. BOARD OF CORRECTIONS:

For the fiscal year ending

September 30, 1972:

For replacing roof on Julia Tutwiler Prison	10,000.00	
For renovation of kitchen & dining, bathroom & laundry facilities at Draper	161,420.00	
For new roof for main building at Draper Correctional Center	10,000.00	
For reroofing main building at Atmore Prison	12,800.00	
For enlarging and equipping kitchen facilities at Frank Lee Youth Center	10,000.00	
For constructing Vehicle Maintenance Shop at Atmore Prison Farm	15,000.00	
For constructing Vehicle Maintenance Shop at Draper Correctional Center	15,000.00	
For renovation of laundry facility at Julia Tutwiler Prison	3,520.00	
For renovation of Guard towers at Draper Correctional Center	4,200.00	
For Construction Staff House, Holman Unit	20,000.00	
For renovating Correctional Officers Housing	28,000.00	
For renovation Officer & Staff Housing at Draper	10,000.00	
Total		300,000.00

For the fiscal year ending

September 30, 1973:

For renovation, Cattle Ranch Greensboro, Alabama	15,000.00	
For renovation of bathrooms at Atmore Prison Farm	35,000.00	
For replacing heating system at Julia Tutwiler Prison	30,000.00	
For renovation of Gymnasium, Day Room and Treatment Room at Draper	25,000.00	
For renovation kitchen, cold storage and dining facilities, Tutwiler	20,000.00	
For constructing and/or relocate guard towers and fence at Holman Unit	15,000.00	
For constructing Trade School at Atmore Prison Farm	70,000.00	
For constructing Staff House, Atmore Prison Farm	20,000.00	
For constructing Staff House, Medical and Diagnostic Center	20,000.00	
For renovation Correctional Officers Houses at Atmore Prison Farm	25,000.00	
For renovation Correctional Officers Houses at Draper Correctional Center	5,000.00	
For constructing Medical Supply Warehouse at Mt. Meigs	20,000.00	
Total		300,000.00

The above appropriations shall be paid from the State General Fund.

Section 6. FARMERS' MARKET AUTHORITY:

There is hereby appropriated to the Farmers' Market Authority, for the purpose of acquiring, erecting, constructing, and equipping farmers' markets 500,000.00

The above appropriations shall be paid from the State General Fund.

Section 7. ALABAMA HISTORICAL COMMISSION:

A. To authorize the Alabama Historical Commission to acquire, provide, construct, restore, preserve, develop, furnish, equip and exhibit buildings, monuments and historic sites and related facilities, together with the land therefor 250,000.00

B. For the fiscal year ending September 30, 1972:
For the purchase of the John T. Morgan Home in Selma, Alabama 65,000.00

The above appropriations shall be paid from the State General Fund.

Section 8. LIVESTOCK COLISEUM:

For the fiscal year ending
September 30, 1972:

For the Interior Painting of Coliseum 15,000.00
For construction of concrete slab for
equipment warehouse 5,500.00

Total 20,500.00

The above appropriations shall be paid from the State General Fund.

Section 9. OIL AND GAS BOARD:

For renovation of Oil and Gas Building 10,000.00

The above appropriations shall be paid from the State General Fund.

Section 10. REGIONAL LIVESTOCK COLISEUM COMMITTEE OF MONROE COUNTY:

For the fiscal year ending September 30, 1972:

For capital improvements to the Regional Livestock Coliseum in Monroe County 18,000.00

The above appropriation shall be paid from the State General Fund.

Section 11. DEPARTMENT OF CONSERVATION:

(a) Seafood Division:

For the fiscal year ending
September 30, 1972:

For construction of an Aquaculture
Station at Gulf Shores 70,000.00
For Shrimp and Oyster Bed Im-
provements 10,000.00
For artificial Snapper Banks 5,000.00

Total 85,000.00

For the fiscal year ending

September 30, 1973:

For construction of an Aquaculture Station at Gulf Shores	60,000.00
For Shrimp and Oyster Bed Improvements	15,000.00
For artificial Snapper Banks	5,000.00

Total	80,000.00
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The above appropriations shall be paid from the Seafood Fund.

(b) Water Safety Division:

For the fiscal year ending September 30, 1972:

For fencing District Headquarter's Office at Eufaula	2,000.00
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The above appropriation shall be paid from the Water Safety Fund.

Section 12. BOARD OF COSMETOLOGY:

For the fiscal year ending September 30, 1972:

For the purchase of land, construction and equipping a Cosmetology Building	150,000.00
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The above appropriation shall be paid from the Board of Cosmetology Fund.

Section 13. BIBB COUNTY BOARD OF EDUCATION:

For the fiscal year ending September 30, 1972:

For construction of a school at West Blockton	350,000.00
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The above appropriation shall be paid from the Alabama Special Educational Trust Fund.

Section 14. ALABAMA BOYS INDUSTRIAL SCHOOL:

For the fiscal year ending

September 30, 1972:

For the demolition of the Johnston Administration Building	14,000.00
For the renovation of existing buildings ..	143,956.00

Total	157,956.00
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The above appropriations shall be paid from the Alabama Special Educational Trust Fund.

Section 15. ALABAMA TRADE SCHOOL AND JUNIOR COLLEGE AUTHORITY:

For the construction and equipping of a Trade School at Atmore, Alabama	150,000.00
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The above appropriations shall be paid from the Alabama Special Educational Trust Fund.

Section 16. THE ELBA AIRPORT AUTHORITY:

For the purchase of land to extend the runway of the Elba Airport Authority for the fiscal year ending September 30, 1972	50,000.00
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Section 17. PEA RIVER PARKS AUTHORITY:

For the improvement to the Pea River Elba Parks site
for the fiscal year ending September 30, 1972 25,000.00

The above appropriations in Sections 16 and 17 shall
be paid from the State General Fund.

**Section 18. WINSTON COUNTY BOARD OF
EDUCATION:**

For the fiscal year ending September 30, 1972:
For construction of a High School at Double Springs .. 250,000.00

The above appropriation shall be paid from the Ala-
bama Special Educational Trust Fund.

**Section 19. JACKSON COUNTY BOARD OF
EDUCATION:**

For the fiscal year ending September 30, 1972:
For the construction of a school in Bridgeport, Ala-
bama 150,000.00

The above appropriation shall be paid from the Ala-
bama Special Educational Trust Fund.

**Section 20. AGRICULTURAL AND INDUSTRIAL
EXHIBIT COMMISSION:**

For the fiscal year ending September 30, 1972:
For the construction of a Swine Pavilion at the Ala-
bama State Fair Ground 50,000.00

The above appropriation shall be paid from the State
General Fund and is conditional upon the condition
of the State Treasury and the approval of the Gov-
ernor.

**Section 21. WALKER COUNTY BOARD OF
EDUCATION:**

For the fiscal year ending September 30, 1972:
For the construction of the Oakman High School and
other capital outlay purposes 100,000.00

**Section 22. ETOWAH COUNTY BOARD OF
EDUCATION:**

For the fiscal year ending September 30, 1972:
For the construction of a school at Rainbow City 250,000.00

**Section 23. CULLMAN COUNTY BOARD OF
EDUCATION:**

For the fiscal year ending September 30, 1972:
For the construction of a school at Joppa, Alabama .. 200,000.00

**Section 24. CLEBURNE COUNTY BOARD OF
EDUCATION:**

For the fiscal year ending September 30, 1972:
For construction of the Pleasant Grove Elementary
School 150,000.00

The above appropriations in Section 21 through Sec-
tion 24 shall be paid from the Alabama Special
Educational Trust Fund.

Section 25. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 26. This Act shall become effective October 1, 1971.

Mr. Clark offered the following amendment to the substitute for the bill, H. B. 1804, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1804

Amend Section 4(a) of said bill by adding immediately after the words "Department of Conservation" the following: "Provided that the first available \$2,300,000.00 of such funds shall be used to complete Lake Guntersville State Park in order to qualify for a \$2,450,000.00 grant which is approved and designated in federal E.D.A. funds."

Which was adopted.

Mr. Clark then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1804, to-wit:

AMENDMENT TO FINANCE & TAXATION COMMITTEE SUBSTITUTE FOR H. B. 1804

Amend H. B. 1804 by adding in Section 2:

For fiscal year ending September 30, 1972, for temperature control equipment for the Fort James W. Morgan Armory, Norwood, Alabama —\$3,250.00.

Which was adopted.

Mr. Clark then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1804, to-wit:

AMENDMENT F & T SUBSTITUTE TO HOUSE BILL 1804

Amend Substitute for House Bill 1804 on page 9 of said bill by adding the following after Section 24 of the bill:

"Section 25. MARION COUNTY BOARD OF EDUCATION:

For the construction of a school at Guin, Alabama\$ 150,000."

Further amend substitute for House Bill 1804 by renumbering the present "Sections 25 and 26" to read "Sections 26 and 27".

Which was adopted.

Mr. Lybrand offered the following amendment to the substitute, as amended, for the Bill, H. B. 1804, to-wit:

AMENDMENT TO FINANCE & TAXATION SUBSTITUTE FOR H. B. 1804

Amend H. B. 1804 as substituted by adding the following and renumbering the remaining paragraphs accordingly:

Section 26:

Calhoun County Board of Education:

For the fiscal year ending September 30, 1972:

For the construction of the Weaver High School—\$150,000.00, payable from the Alabama Special Educational Trust Fund.

Which was adopted.

Mr. Owen offered the following amendment to the substitute, as amended, for the Bill, H. B. 1804, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR AS AMENDED
H. B. 1804

Amend H. B. 1804, as amended, by adding at the end of Section 11, (b), the following:

“(c) Game and Fish Division:

For the fiscal year ending September 30, 1972:		
For Land Acquisition	400,000.00	
For Research Station Including ponds, holding shed, laboratory, well drilling and construction and improvements of public fishing lakes and access areas	158,260.00	
Total		558,260.00
For the fiscal year ending September 30, 1973:		
For Land Acquisition	150,000.00	
For Research Station including ponds, holding shed, laboratory, well drilling and construction and improvements of public fishing lakes and access areas	166,080.00	
Total		316,080.00

The above appropriations shall be paid from the Game and Fish Division conditional upon the passage of H. B. 37 and H. B. 39, 1971 Regular Session of the Legislature.”

Which was adopted.

Mr. Owen then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1804, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1804, AS AMENDED

Add to Section 11(b):

“There is hereby appropriated to the Division of Water Safety such additional revenues from those monies that may be derived during the biennium from an increase in boat registration fees for capital improvement. One-half of the additional revenues derived will be for capital improvements for the purchase, construction, maintenance, and administration of piers, aids to navigation, launching ramps, and parking areas.”

Which was adopted.

Mr. Harris offered the following amendment to the substitute, as amended, for the Bill, H. B. 1804, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 1804

Amend by deleting in their entirety the following Sections in their entirety and renumbering those remaining:

Section 19

Section 21

Section 22

Section 23

Section 24

Section 13

Section 18

Section 25

Section 26

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Hammond	Noonan	Weaver	
Cook	Hawkins	Owen	Wilson	
Fine	Horne	Pelham		—18

Nays:

Messrs.:	Dozier	Jones	McLain	
Bailes	Edington	King	O'Bannon	
Cooper	Gilmore	Lindsey	Pierce	
Dominick	Harris	Lybrand	Vacca	—15

And the Committee substitute, as thus amended, for the Bill, H. B. 1804, was then adopted by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Edington	Jones	O'Bannon	Wilder	
Fine	King	Owen	Wilson	—31

Nays:

—0

Mr. Bailes offered the following amendment to the Bill, H. B. 1804, as thus amended by the substitute, to-wit:

AMENDMENT TO H. B. 1804 AS SUBSTITUTED

Amend H. B. 1804 as substituted: after Section 26, add Section 27.

"Jefferson County Board of Education

For the fiscal year ending September 30, 1972

For construction of the Powderly-Wenonah Elementary School\$150,000"

Renumber the remaining Sections 28 and 29.

Mr. Wilson moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Fine	Lybrand	Register	
Branyon	Givhan	Noonan	Shelby	
Clark	Hammond	Owen	Wilson	
Cooper	Littleton	Pelham		—14

Nays:

Messrs.:	Dozier	Hawkins	Malone	
Bailes	Edington	Jones	O'Bannon	
Carr	Foshee	King	Pierce	
Cook	Gilmore	Lindsey	Vacca	
Dominick	Harris	McLain	Weaver	—19

The question was then on the amendment offered by Mr. Bailes, which was then adopted.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Dozier	Hawkins	Register	
Bailes	Edington	Jones	Shelby	
Carr	Fine	King	Vacca	
Cook	Givhan	Lindsey	Weaver	
Cooper	Gilmore	Noonan	Wilder	
Dominick	Hammond	Pierce		—22

Nays:

Messrs.:	Harris	O'Bannon	Pelham	
Branyon	Lybrand	Owen	Wilson	
Foshee				—8

And said Bill, H. B. 1804, as thus amended, was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—33

Nays:

—0

The Bill:

H. 1801. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 1801, to-wit:

FINANCE AND TAXATION COMMITTEE**SUBSTITUTE FOR H. B. 1801****A BILL****TO BE ENTITLED****AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1972, and September 30, 1973, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the

next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature for the fiscal year ending September 30, 1972	\$ 1,750,000.00
For the fiscal year ending September 30, 1973	2,000,000.00
(2) For the printing of Legislative Acts and Journals:	
For the fiscal year ending September 30, 1972, estimated	150,000.00
For the fiscal year ending September 30, 1973, estimated	50,000.00
(3) For Legislative Council expenses	25,000.00
(4) LEGISLATIVE REFERENCE SERVICE:	
For the fiscal year ending September 30, 1972:	
For salary of the Director	20,000.00
For other salaries	115,500.00
For other expenses	9,000.00
For equipment purchases	2,500.00
For automotive equipment purchases	3,500.00
Total	150,500.00
For the fiscal year ending September 30, 1973:	
For salary of the Director	20,000.00
For other salaries	105,000.00
For other expenses	8,000.00
For equipment purchases	1,000.00
Total	134,000.00
Commission on Intergovernmental Cooperation:	
For salaries	1,890.00
For other expenses	3,200.00
Total	5,090.00
Code Revision:	
For salaries and expenses, Estimated	10,000.00
(5) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:	
For the fiscal year ending September 30, 1972:	
For the salary of the Chief Examiner	19,800.00
For the salary of the Assistant Chief Examiner	18,800.00
For other salaries	1,207,500.00
For other expenses	325,000.00
For equipment purchases	4,000.00
For automotive equipment purchases	4,000.00
Total	1,579,100.00

For the fiscal year ending September 30, 1973:	
For the salary of the Chief Examiner	19,800.00
For the salary of the Assistant Chief Examiner	18,800.00
For other salaries	1,181,250.00
For other expenses	325,000.00
For equipment purchases	4,000.00
Total	1,548,850.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the fiscal year ending September 30, 1972:	
For the salaries of the Chief Justice and eight Associate Justices	202,500.00
For the salary of the Clerk of the Court, Estimated	19,561.50
For the salary of the Court Reporter, Estimated	17,860.50
For salaries of the Law Clerks, Estimated	75,600.00
For other salaries	278,780.00
For other expenses	23,000.00
For printing the Alabama Reports, Estimated	7,800.00
For equipment purchases	5,000.00
For a Consultant Study (to match Federal Funds)	1,500.00
For Judicial Conference	7,500.00
For Judicial Education	2,500.00
Total	641,602.00

For the fiscal year ending September 30, 1973:	
For the salaries of the Chief Justice and eight Associate Justices	202,500.00
For the salary of the Clerk of the Court, Estimated	18,837.00
For the salary of the Court Reporter, Estimated	17,199.00
For salaries of Law Clerks, Estimated	75,600.00
For other salaries	268,342.00
For other expenses	23,000.00
For printing the Alabama Reports, Estimated	7,800.00
For equipment purchases	5,000.00
For a consultant study (to match Federal Funds)	1,500.00
For a Judicial Conference	7,500.00
For Judicial Education	2,500.00
Total	629,778.00

For the Supreme Court Library Fund	50,000.00
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(2) COURT OF CRIMINAL APPEALS:

For the fiscal year ending September 30, 1972:	
For salaries of the three Judges	66,000.00
For other salaries	115,664.00
For other expenses	8,000.00

For equipment purchases	1,000.00	
For Printing Appellate Court Reports, Estimated	6,000.00	
Total		196,664.00
For the fiscal year ending September 30, 1973:		
For salaries of the three Judges	66,000.00	
For other salaries	112,360.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For printing Appellate Court Reports, Estimated	6,000.00	
Total		193,360.00

(3) COURT OF CIVIL APPEALS:

For the fiscal year ending September 30, 1972:		
For salaries of three Judges	66,000.00	
For other salaries	87,144.00	
For other expenses	10,000.00	
For equipment and book purchases ..	1,000.00	
For printing Appellate Court Reports, Estimated	4,500.00	
Total		168,644.00
For the fiscal year ending September 30, 1973:		
For salaries of three Judges	66,000.00	
For other salaries	84,896.00	
For other expenses	10,000.00	
For equipment and book purchases ..	1,000.00	
For printing Appellate Court Reports, Estimated	4,500.00	
Total		166,396.00

(4) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated	1,530,000.00	
For travel expenses of circuit judges, estimated ..	17,500.00	
For College of Trial Judges as provided in Act No. 730, 1967 Regular Session	9,000.00	
For telephone service, stationery, stamps, and necessary office supplies for the office use of circuit judges (Provided, however, that none of this appropriation shall be expended for books and equipment purchases)	30,000.00	
For the salaries and travel expenses of special judges, estimated	13,500.00	
For salaries of District Attorneys, Estimated	675,000.00	
For salary of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Cir- cuit	8,500.00	
For the salary of the appointed As- sistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00	

For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00	
For the salaries of the Second and Third Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	20,000.00	
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	17,000.00	
For the salaries of the Deputy District Attorneys of the 6th Judicial Circuit	6,750.00	
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00	
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	6,900.00	
For the salaries of the Deputy District Attorneys of the 13th Judicial Circuit, Estimated	35,800.00	
For the salaries of the Deputy District Attorneys of the 15th Judicial Circuit	13,200.00	
For the Salaries of the Deputy District Attorneys of the 16th Judicial Circuit	6,000.00	
For the salaries of the Deputy District Attorneys of the 23rd Judicial Circuit	16,800.00	
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00	
For the travel expenses of District Attorneys, estimated	18,000.00	
For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps, and necessary office supplies for the office use of District Attorneys, deputy District Attorneys or Assistants	30,000.00	
(Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)		
For the salaries of Public Defenders as provided by Act No. 1158, 1969 Regular Session	17,000.00	
Total		905,550.00
For salary of supernumerary District Attorneys, estimated		78,400.00

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For expenses of supernumerary District Attorneys, estimated	2,600.00
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(5) COURT REPORTERS:

For the compensation of the circuit court reporters, estimated	350,000.00
For the compensation of the supernumerary circuit court reporters, estimated	70,000.00

(6) SUPERNUMERARY JUDGES:

For salaries of supernumerary judges and justices, estimated	120,000.00
For expenses of supernumerary judges and justices, estimated	5,000.00

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) THE GOVERNOR'S OFFICE:

For the fiscal year ending September 30, 1972:	
For salary of the Governor	25,000.00
For salary of the Executive Secretary	19,800.00
For salary of the Legal Advisor	19,800.00
For salary of the Press Secretary	19,800.00
For salary of the Confidential Assistant	19,800.00
For other salaries	109,997.00
For other expenses	89,500.00
For equipment purchases	5,000.00
For automotive equipment purchases	7,500.00
Total	316,197.00

For the fiscal year ending September 30, 1973:	
For the salary of the Governor	25,000.00
For the salary of the Executive Secretary	19,800.00
For the salary of the Legal Advisor	19,800.00
For the salary of the Press Secretary	19,800.00
For the salary of the Confidential Assistant	19,800.00
For other salaries	109,997.00
For other expenses	90,000.00
For printing of Governor's State Budget, estimated	20,000.00
For equipment purchases	3,000.00
For automotive equipment purchases	7,500.00

Total	334,697.00
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(2) For the Governor's Emergency Fund, to be expended at the direction of the Governor	45,000.00
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For the Governor's Controlled Contingency Fund	45,000.00
For Governor's Office—Consumer Agency, For salaries, other expenses, and equipment purchases	150,000.00
(3) For the Mansion Fund	25,000.00
For the Governor's Mansion at Gulf Shores	5,000.00
(4) STATE BOARD OF ADJUSTMENT:	
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343	15,000.00
(b) For expenditures by the Board payable from General Fund under the provisions of Act 208 Special Session 1966 and Act 436 Regular Eession 1967, estimated	100,000.00
(5) COMMISSION ON AGING:	
For transfer to the Commission on Aging	52,500.00
(6) DEPARTMENT OF ARCHIVES AND HISTORY:	
For the fiscal year ending September 30, 1972:	
For the salary of the Director	16,800.00
For other salaries	152,515.00
For other expenses	30,000.00
For equipment purchases	2,000.00
For expenses of printing of the Alabama Historical Quarterly	7,000.00
For printing Statistical Register	7,000.00
Total	215,315.00
For the fiscal year ending September 30, 1973:	
For the salary of the Director	16,800.00
For other salaries	141,750.00
For other expenses	30,000.00
For equipment purchases	2,000.00
For Printing Historical Quarterly	7,000.00
Total	197,550.00
(7) ALABAMA COUNCIL ON THE ARTS:	
For transfer to the Council on the Arts	125,000.00
(8) OFFICE OF THE ATTORNEY GENERAL:	
For the fiscal year ending September 30, 1972:	
For the salary of the Attorney General	22,500.00
For the salary of the Deputy Attorney General	21,500.00

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For the salary of the Executive Assistant, Estimated	19,561.50	
For other salaries	556,500.00	
For other expenses	119,438.50	
For equipment purchases	2,000.00	
For automotive equipment purchases	15,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	10,000.00	
Total		766,500.00

For the fiscal year ending September 30, 1973:		
For the salary of the Attorney General	22,500.00	
For the salary of the Deputy Attorney General	21,500.00	
For the salary of the Executive Assistant, Estimated	18,837.00	
For other salaries	556,500.00	
For other expenses	120,163.00	
For equipment purchases	2,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	10,000.00	
Total		751,500.00

(9) OFFICE OF THE STATE AUDITOR:

For the fiscal year ending September 30, 1972:		
For the salary of the State Auditor	20,000.00	
For other salaries	120,290.00	
For other expenses	4,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		148,790.00

For fiscal year ending September 30, 1973:		
For salary of the State Auditor ..	20,000.00	
For other salaries	121,797.00	
For other expenses	4,000.00	
For equipment purchases	1,000.00	
Total		146,797.00

(10) OFFICE OF THE STATE AUDITOR-PROPERTY INVENTORY:

For the fiscal year ending September 30, 1972:		
For salaries	31,779.00	
For other expenses	3,750.00	
For equipment purchases	750.00	
Total		36,279.00

For the fiscal year ending September 30, 1973:		
For salaries	31,626.00	
For other expenses	3,750.00	
For equipment purchases	750.00	
Total		36,126.00
(11) STATE BANKING DEPARTMENT:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1972	118,888.00	
For the fiscal year ending September 30, 1973	151,175.00	
(12) BANKING DEPARTMENT-BUREAU OF LOANS:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1972	55,014.00	
For the fiscal year ending September 30, 1973	61,475.00	
(13) BOARD OF EXAMINERS OF BASIC SCIENCE:		
For salaries	3,780.00	
For other expenses	1,400.00	
Total		5,180.00
(14) BUILDING COMMISSION:		
For salaries, other expenses, equipment purchases and automotive equipment purchases	125,000.00	
(15) CAHABA HISTORICAL COMMISSION:		
To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount-Total		6,000.00
(16) DEPARTMENT OF CIVIL DEFENSE:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	16,200.00	
For other salaries	107,100.00	
For other expenses	38,500.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		166,300.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	16,200.00	
For other salaries	94,500.00	
For other expenses	38,500.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		153,200.00

(17) ALABAMA DEVELOPMENT OFFICE:

For transfer to Alabama Development Office
for operations:

For the fiscal year ending September 30, 1972 1,282,307.73

For the fiscal year ending September 30, 1973 1,109,300.00

(18) STATE EMPLOYEES INSUR-
ANCE BOARD:

For the fiscal year ending
September 30, 1972:

For salaries 31,323.00

For other expenses 5,500.00

For equipment purchases 250.00

Total 37,073.00

For the fiscal year ending
September 30, 1973:

For salaries 31,101.00

For other expenses 5,500.00

For equipment purchases 250.00

Total 36,851.00

(19) FARMERS MARKET AUTHORITY:

For transfer to the Farmers Market Authority
for the operation of the Farmers Market
Authority:

For the fiscal year ending September 30, 1972 49,725.00

For the fiscal year ending September 30, 1973 45,353.00

(20) DEPARTMENT OF FINANCE:

(a) Director's Office:

For the fiscal year ending
September 30, 1972:

For the salary of the Di-
rector 19,800.00

For salary of the Assistant
Director 18,800.00

For other salaries 29,612.00

For other expenses 7,000.00

Total 75,212.00

For the fiscal year ending
September 30, 1973:

For the salary of the Di-
rector 19,800.00

For the salary of the Assist-
ant Director 18,800.00

For other salaries 28,515.00

For other expenses 7,000.00

Total 74,115.00

(b) Division of the Budget:

For the fiscal year ending
September 30, 1972:

For salary of the Budget
Officer 17,500.00

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For other salaries	69,571.00	
For other expenses	5,500.00	
For equipment purchases	500.00	
Total		93,071.00
For the fiscal year ending September 30, 1973:		
For salary of the Budget Officer	17,500.00	
For other salaries	66,995.00	
For other expenses	6,500.00	
For equipment purchases	500.00	
Total		91,495.00
(c) Division of Control and Ac- counts:		
For the fiscal year ending September 30, 1972:		
For salary of the State Comptroller, Estimated	17,866.00	
For other salaries	278,190.00	
For other expenses	142,450.00	
For equipment purchases	5,000.00	
Total		443,500.00
For the fiscal year ending September 30, 1973:		
For salary of the State Comptroller, Estimated	17,199.00	
For other salaries	269,755.00	
For other expenses	149,000.00	
For equipment purchases	5,000.00	
Total		440,954.00
(d) Legal Division:		
For the fiscal year ending September 30, 1972:		
For salary of the Chief of the Division, Estimated	17,847.00	
For other salaries	17,577.00	
For other expenses	6,000.00	
For equipment purchases	750.00	
Total		42,174.00
For the fiscal year ending September 30, 1973:		
For salary of the Chief of the Division, Estimated	17,199.00	
For other salaries	16,926.00	
For other expenses	6,000.00	
For equipment purchases	450.00	
Total		40,575.00
(e) For Computer Consolidation and Copy Center Operation		10,000.00

(f) Division of Purchases and Stores:

For the fiscal year ending
September 30, 1972:

For salaries	214,365.00
For other expenses	22,500.00
For equipment purchases	5,000.00

Total	241,865.00
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For the fiscal year ending
September 30, 1973:

For salaries	211,136.00
For other expenses	22,500.00
For equipment purchases	2,000.00

Total	235,636.00
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(g) Division of Service:

For the fiscal year ending
September 30, 1972:

For salaries	630,000.00
For other expenses	255,000.00
For equipment purchases	7,000.00
For automotive equipment purchases	3,500.00

Total	895,500.00
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For the fiscal year ending
September 30, 1973:

For salaries	603,750.00
For other expenses	225,000.00
For equipment purchases	5,000.00
For automotive equipment purchases	4,000.00

Total	837,750.00
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(h) For equipment purchases in the State
Offices for the Executive, Administra-
tive and Judicial Department

10,000.00

(21) GORGAS MEMORIAL BOARD:

To provide for the appropriation authorized
by Act No. 417, 1943 Acts, page 383, and
an additional amount-Total

9,500.00

(22) HALL OF FAME BOARD:

For payment of expenses of the Board

750.00

(23) DEPARTMENT OF HEALTH:

(a) For Air Pollution Commission:

For salaries, other expenses, equipment
purchases and automotive equipment
purchases:

For the fiscal year ending September 30, 1972	219,800.00
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For the fiscal year ending September 30, 1973	218,200.00
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(To be expended in accordance with Act No. 1135, 1969 Regular Session)	
(b) For study, care and treatment of cancer	140,000.00
(c) For County Health Work: For transfer to the County Health Work Account	425,000.00
(d) For Dental Program: For salaries, other expenses and county clinics: For the fiscal year ending September 30, 1972	97,571.00
For the fiscal year ending September 30, 1973	96,498.00
(e) For General Health: For salaries, other expenses and equipment purchases	1,305,000.00
(This appropriation includes the operations of the Branch Laboratories in Birmingham and Mobile.)	
(f) For Health Facilities Construction: For salaries and other expenses: For the fiscal year ending September 30, 1972	43,753.00
For the fiscal year ending September 30, 1973	43,333.00
(g) For Hospital Care of the Indigent: For transfer to the Hospital Care of the Indigent Account	200,000.00
(h) Hospital Licensing: For transfer to the Hospital Licensing Account	21,500.00
(i) Medicaid: For transfer to Medicaid Account	22,000,000.00
(j) For Preventable Diseases: For the purchase of vaccines and drugs	75,000.00
(k) For Radiation Control: For salaries, other expenses and equipment purchases	71,500.00
(l) For Tuberculosis Testing: For salaries, other expenses, equipment purchases, and for clinician and radiologist fees	154,300.00
(m) For Tuberculosis and Chronic Lung Disorders Treatment: For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several Tuberculosis Hospitals in the State and for administrative cost not to exceed \$276.00 per licensed bed as provided in Act No. 272, 1966 Special Session. Provided, however, that not more than 5% of this appropriation may be used for the treatment of disease other than tuberculosis: For the fiscal year ending September 30, 1972	3,105,687.00
For the fiscal year ending September 30, 1973	3,097,531.00

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(n) For Venereal Disease Control:		
For salaries and other expenses		77,600.00
(o) Water Improvement Commission:		
For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts for stream studies:		
For fiscal year ending September 30, 1972		231,921.00
For fiscal year ending September 30, 1973		233,919.00
(24) OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		
For transfer to Office of Highway and Traffic Safety		75,000.00
(25) ALABAMA HISTORICAL COMMISSION:		
For transfer to Alabama Historical Commission for operations		78,150.00
(26) RICHMOND PEARSON HOBSON MEMORIAL BOARD:		
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount-Total		9,500.00
(27) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For the fiscal year ending September 30, 1972:		
For salaries	304,500.00	
For other expenses	60,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	7,000.00	
Total		373,500.00
For the fiscal year ending September 30, 1973:		
For salaries	288,750.00	
For other expenses	60,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		353,250.00
(28) DEPARTMENT OF INSURANCE:		
For the fiscal year ending September 30, 1972:		
For salary of the Director	19,000.00	
For other salaries	352,800.00	
For other expenses	110,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,700.00	
Total		486,500.00

For the fiscal year ending
September 30, 1973:

For salary of the Director	19,000.00
For other salaries	336,000.00
For other expenses	110,000.00
For equipment purchases	1,000.00

Total	466,000.00
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(29) STATE LABOR DEPARTMENT:

For the fiscal year ending
September 30, 1972:

For salary of the Director	19,000.00
For other salaries	89,250.00
For other expenses	25,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	4,500.00

Total	138,750.00
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For the fiscal year ending
September 30, 1973:

For salary of the Director	19,000.00
For other salaries	84,000.00
For other expenses	25,000.00

Total	128,000.00
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(30) LAGRANGE HISTORICAL COMMISSION:

To provide the appropriation and for the expenditures authorized by Act No. 551, 1943
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2,000.00

(31) LIVESTOCK COLISEUM:

For transfer to the Livestock Coliseum Fund
for the operation of the Livestock Coliseum:

For the fiscal year ending September 30, 1972	53,300.00
For the fiscal year ending September 30, 1973	56,470.00

(32) PUBLIC LIBRARY SERVICE
DIVISION:

(a) For salaries	78,750.00
For other expenses	25,000.00
For Books & Periodicals	96,000.00
For State aid to county units	47,500.00

Total	247,250.00
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(b) For transfer to Alabama Public Library
Service Federal Account-Title II

7,000.00

(33) MILITARY DEPARTMENT:

(a) For operation of the Department:

For the fiscal year ending
September 30, 1972:

For salary of the Adjutant General	19,800.00
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For other salaries	446,250.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	3,500.00	
Total		574,550.00
For the fiscal year ending September 30, 1973:		
For the salary of the Adjutant General	19,800.00	
For other salaries	420,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	3,500.00	
Total		548,300.00
(b) For Quarterly Allowances		298,000.00
Provided that not more than \$5,000.00 may be allotted in any fiscal year for the Headquarters, Alabama National Guard, and not more than \$1,500.00 may be allotted in any fiscal year for the Division Headquarters.		
(c) For Active Military Service-Active National Guard		72,000.00
(d) For transfer to the Armory Commission-For care and maintenance of armories		712,500.00
(34) UNIVERSITY OF ALABAMA-MUSEUM FUND:		
For operation and maintenance		68,000.00
(35) DEPARTMENT OF PENSIONS AND SECURITY:		
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		13,000,000.00
(36) PERSONNEL DEPARTMENT:		
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department.		
For the fiscal year ending September 30, 1972		71,400.00
For the fiscal year ending September 30, 1973		71,905.00
(37) COMMISSION ON PHYSICAL FITNESS:		
For the fiscal year ending September 30, 1972:		
For salaries	40,727.00	
For other expenses	10,600.00	
For equipment purchases	800.00	

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For automotive equipment purchases	3,500.00	
Total		55,627.00
For the fiscal year ending September 30, 1973:		
For salaries	37,737.00	
For other expenses	10,600.00	
Total		48,337.00
(38) COMMISSION TO PRESERVE THE PEACE:		
For salaries	25,515.00	
For other expenses	20,000.00	
For equipment purchases	500.00	
Total		46,015.00
(39) BOARD OF EXAMINERS OF PSYCHOLOGY:		
For transfer to Board of Examiners of Psychology for operations		1,600.00
(40) BUREAU OF PUBLICITY AND INFORMATION:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	18,000.00	
For other salaries	52,500.00	
For other expenses	55,000.00	
For equipment purchases	3,000.00	
For automotive equipment purchases	10,150.00	
For Ava Marie Grotto	2,500.00	
For Mobile Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
Total		187,900.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	18,000.00	
For other salaries	52,500.00	
For other expenses	55,000.00	
For equipment purchases	1,000.00	
For Ava Marie Grotto	2,500.00	
For Mobile Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
Total		175,750.00

(41) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending
September 30, 1972:

For the salary of the Director	19,800.00
For other salaries	7,822,500.00
For other expenses	1,700,000.00
For Workman's Compensation Insurance, Estimated	141,000.00
For equipment purchases	114,200.00
For automotive equipment purchases	800,000.00

Total	10,597,500.00
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For the fiscal year ending
September 30, 1973:

For the salary of the Director	19,800.00
For other salaries	7,665,000.00
For other expenses	1,700,000.00
For Workman's Compensation Insurance—Estimated	145,000.00
For equipment purchases	113,620.00
For automotive equipment purchases	800,000.00

Total	10,443,420.00
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(42) DEPARTMENT OF REVENUE:

(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department,

For the fiscal year ending September 30, 1972	894,065.30
For the fiscal year ending September 30, 1973	895,204.85

(b) Boards of Equalization:

For salaries of the members and employees of the county boards of equalization	143,750.00
For other expenses	4,000.00

Total	147,750.00
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(43) OFFICE OF SECRETARY OF STATE:

(a) For the fiscal year ending
September 30, 1972:

For the salary of the Secretary of State	20,000.00
For other salaries	55,739.00
For other expenses	11,000.00
For equipment purchases	500.00

Total	87,239.00
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For the fiscal year ending
September 30, 1973:

For salary of the Secretary of State	20,000.00
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For other salaries	54,804.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		86,304.00

(b) Uniform Commercial Code:

For the fiscal year ending September 30, 1972:		
For other salaries	39,404.00	
For other expenses	8,500.00	
For equipment purchases	7,600.00	
Total		55,504.00

For the fiscal year ending September 30, 1973:		
For other salaries	39,903.00	
For other expenses	8,500.00	
For equipment purchases	1,800.00	
Total		50,203.00

(44) SECURITIES COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	79,069.00	
For other expenses	10,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	7,500.00	
Total		101,569.00

For the fiscal year ending September 30, 1973:		
For salaries	76,140.00	
For other expenses	10,000.00	
For equipment purchases	1,000.00	
Total		87,140.00

(45) SOCIAL SECURITY
ADMINISTRATION:

For the fiscal year ending September 30, 1972:		
For salaries	93,047.00	
For other expenses	17,500.00	
For equipment purchases	1,000.00	
Total		111,547.00

For the fiscal year ending September 30, 1973:		
For other salaries	91,182.00	
For other expenses	17,500.00	
Total		108,682.00

(46) STATE SOVEREIGNTY COMMISSION:

To carry out the provisions of Act No. 514 of the 1963 Regular Session	65,000.00
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(47) SPORTS HALL OF FAME BOARD:

To carry out the provisions of Act No. 225, 1967 Regular Session	25,000.00
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(48) STATE TOXICOLOGIST:

For the salary of the State Toxicologist	19,800.00	
For other salaries	294,000.00	
For other expenses	45,000.00	
For equipment purchases	9,000.00	
For automotive equipment purchases	3,500.00	
Total		371,300.00

(49) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September 30, 1972:		
For the salary of the State Treasurer	20,000.00	
For other salaries	234,150.00	
For other expenses	62,100.00	
For equipment purchases	5,500.00	
Total		321,750.00

For the fiscal year ending September 30, 1973:		
For the salary of the State Treasurer	20,000.00	
For other salaries	249,900.00	
For other expenses	65,000.00	
For equipment purchases	6,500.00	
For automotive equipment purchases	3,700.00	
Total		345,100.00

(50) UNIVERSITY OF ALABAMA—
UNIVERSITY HOSPITAL & CLINICS:

For operation and maintenance	1,000,000.00
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(51) DEPARTMENT OF VETERANS' AFFAIRS:

For the fiscal year ending September 30, 1972:	
For the salary of the Service Commissioner	17,500.00
For other salaries	835,275.00
For other expenses	55,000.00
For equipment purchases	2,000.00
For automotive equipment purchases	7,000.00

For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled American Veterans Organization	5,550.00	
Total		944,475.00

For the fiscal year ending September 30, 1973:		
For the salary of the Service Commissioner	17,500.00	
For other salaries	835,275.00	
For other expenses	55,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	
For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled American Veterans Organization	5,550.00	
Total		940,975.00

(52) FIRST WHITE HOUSE OF THE CONFEDERACY:

For salaries and other expenses	10,000.00
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B. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

(1) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:

(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries:	
For the fiscal year ending September 30, 1972	2,144,837.00
For the fiscal year ending September 30, 1973	1,988,548.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases	381,000.00

(2) AGRICULTURE CENTER BOARD:

(a) For transfer to the Agriculture Center Board for salaries and other expenses:	
For the fiscal year ending September 30, 1972	39,621.00
For the fiscal year ending September 30, 1973	38,496.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session	90,000.00

(3) DEPARTMENT OF CONSERVATION:

(a) For transfer to Department of Conservation—State Land Funds—For salaries, other expenses, and equipment purchases for the State Lands Division	43,465.00
(b) For transfer to Department of Conservation—State Parks Fund—For salaries, other expenses and equipment purchases for the Division of State Parks: For the fiscal year ending September 30, 1973	1,050,512.18

(4) ALABAMA FORESTRY COMMISSION:

For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases	1,245,825.00
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(5) FORT MORGAN HISTORICAL COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	32,162.00	
For other expenses	15,000.00	
For equipment purchases	1,500.00	
For automotive equipment purchases	3,500.00	
Total		52,162.00
For the fiscal year ending September 30, 1973:		
For salaries	32,162.00	
For other expenses	15,000.00	
For equipment purchases	1,500.00	
Total		48,662.00

(6) GEOLOGICAL SURVEY:

For the fiscal year ending September 30, 1972:		
For the salary of the State Geologist	19,800.00	
For other salaries	315,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	9,000.00	
For matching Federal funds for investigation of the surface water and ground water resources of the State	137,500.00	
For test drilling	20,000.00	
Topographic Mapping	25,000.00	
Total		631,300.00

For the fiscal year ending
September 30, 1973:

For the salary of the State Geologist	19,800.00
For other salaries	288,750.00
For other expenses	100,000.00
For equipment purchases	5,000.00
For automotive equipment purchases	9,000.00
For matching Federal funds for investigation of the surface water and ground water resources of the State	137,500.00
For test drilling	20,000.00
Topographic Mapping	25,000.00

Total	605,050.00
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(7) OIL AND GAS BOARD:

For the fiscal year ending
September 30, 1972:

For salaries	315,000.00
For other expenses	80,000.00
For equipment purchases	4,500.00
For automotive equipment purchases	10,000.00
For salaries, other expenses, equipment purchases, and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	30,000.00

Total	439,500.00
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For the fiscal year ending
September 30, 1973:

For salaries	315,000.00
For other expenses	80,000.00
For equipment purchases	2,000.00
For salaries, other expenses, equipment purchases, and automotive equipment purchases to be allotted upon opening New Oil and Gas Fields	30,000.00

Total	427,000.00
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(8) STATE SOIL CONSERVATION
COMMITTEE:

For the fiscal year ending
September 30, 1972:

For salaries	24,615.00
For other expenses	53,500.00
For automotive equipment purchases	3,500.00
For Watershed Planning Party and Soil and Water Conservation Districts	75,000.00

Total	166,615.00
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For the fiscal year ending
September 30, 1973:

For salaries	34,725.00
For other expenses	53,000.00
For Watershed Planning Party and Soil and Water Conserva- tion District	75,000.00

Total	162,725.00
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(9) WATERSHED CONSERVANCY DISTRICTS:

(1) Bear Creek Watershed Association	31,250.00
(2) Choccolocco Watershed	4,000.00
(3) Crooked Creek Watershed	2,500.00
(4) DeKalb County Watershed	7,000.00
(5) Etowah County Watershed	7,000.00
(6) Ketchepedrakee Watershed	2,500.00
(7) Line Creek Watershed	2,000.00
(8) Tallaseehatchee Watershed	2,500.00
(9) Terrapin Creek Watershed	10,000.00

C. HOSPITAL AND CORRECTIONAL
FUNCTIONS:

(1) ARREST OF ABSCONDING FELONS:

For expenses incident to the arrest of ab- sconding felons, estimated	2,000.00
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(2) BOARD OF CORRECTIONS:

For transfer to Board of Corrections	5,718,000.00
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(3) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails, estimated	1,000,000.00
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(4) JUVENILE PROBATION OFFICERS:

Estimated	150,000.00
(To carry out the provisions of Act No. 880, 1965 Reg. Sess.)	

(5) MENTAL HEALTH:

For transfer to Special Mental Health Fund:	
For the fiscal year ending September 30, 1972	2,000,000.00
For the fiscal year ending September 30, 1973	6,000,000.00

(6) BOARD OF PARDONS AND
PAROLES:

For the fiscal year ending
September 30, 1972:

For salaries of Board Members ..	45,000.00
For other salaries	1,115,000.00
For other expenses	123,000.00
For equipment purchases	4,000.00
For automotive equipment pur- chases	7,000.00

Total	1,294,000.00
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For the fiscal year ending

September 30, 1973:

For salaries of Board Members ..	45,000.00
For other salaries	1,115,000.00
For other expenses	123,000.00
For equipment purchases	2,500.00
For automotive equipment purchases	7,000.00

Total 1,292,500.00

(7) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated	65,000.00
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D. DEBT SERVICE:

- (1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII.

For the fiscal year ending September 30, 1972	271,000.00
For the fiscal year ending September 30, 1973	274,250.00

- (2) For the payment of principal and interest on bonds issued for hospital construction pursuant to Constitutional Amendment No. CXXI and Constitutional Amendment No. CLVIII:

For the fiscal year ending September 30, 1972	224,115.00
For the fiscal year ending September 30, 1973	114,620.00

- (3) For interest on Spanish American War Veterans Fund, estimated

294.86

- (4) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated:

For the fiscal year ending September 30, 1972	2,228,008.75
For the fiscal year ending September 30, 1973	2,286,713.75

- (5) For the payment of principal and interest on bonds issued by the State Parks Development Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated:

For the fiscal year ending September 30, 1972	800,000.00
For the fiscal year ending September 30, 1973	750,000.00

- (6) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV:

For the fiscal year ending September 30, 1972	224,805.00
For the fiscal year ending September 30, 1973	228,155.00

E. MISCELLANEOUS:

- (1) Alabama Academy of Honor 1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 1965)
- (2) For advertising lands for tax sale, estimated 14,000.00

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(3) Alabama Agricultural and Industrial Exhibit Commission	42,500.00
(4) Appalachain Regional Development Program:	
For the fiscal year ending September 30, 1972	112,116.00
For the fiscal year ending September 30, 1973	145,444.00
(5) Armed Forces Day Committee	1,000.00
(6) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated	37,500.00
(7) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated	3,000.00
(8) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated	100.00
(9) Alabama Constitutional Commission:	
For the fiscal year ending	
September 30, 1972:	
For salaries	31,343.00
For other expenses	35,485.36
Total	66,828.36
For the fiscal year ending	
September 30, 1973:	
For salaries	18,489.00
For other expenses	29,370.88
Total	47,859.88
(10) Coosa-Alabama Development Authority	12,500.00
(11) Council of State Governments	30,790.00
(12) For Court Costs to be paid by the State of Alabama, pursuant to Act No. 558, 1957 Acts, page 777, estimated	250,000.00
(13) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated	65,000.00
(14) Departmental Emergency Fund	200,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
(15) Department of Finance—Mail and Supply Room:	
For the fiscal year ending September 30, 1972	65,000.00
(16) For distribution of public documents, estimated	30,000.00
(17) Election expenses, estimated:	
For the fiscal year ending September 30, 1972	675,000.00
For the fiscal year ending September 30, 1973	467,500.00
This appropriation made pursuant to provisions of Act No. 160, 1955 Acts, page 407, for costs and expenses of elections.	
(18) Elk River Development Association	5,000.00
(19) State Employees Insurance:	
To pay the State's share of the State Employee Insurance Program, estimated	300,000.00

(20) Employees' Retirement Fund State's part, estimated:	
For the fiscal year ending September 30, 1972	1,365,000.00
For the fiscal year ending September 30, 1973	1,260,000.00
(21) Fair Trial Tax, Transfer	100,000.00
(To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.)	
(22) Governor's Commission on Drug Abuse	7,000.00
(23) For expenses of Governor's Proclamations, estimated	100,000.00
(24) National Governor's Conference	8,500.00
(25) Governor's Retirement, estimated	9,000.00
(26) Governor's Wives Retirement, Estimated	14,400.00
(27) For Helen Keller Home:	
For operation and maintenance	2,500.00
(28) Interpreter's Account, estimated	100.00
(To carry out provisions of Act No. 799, 1965 Reg. Sess.)	
(29) Southern Interstate Nuclear Board	8,902.00
(30) Law Enforcement Legal Defense, Estimated	10,000.00
(To carry out provisions of Act No. 259, Regular Session 1967)	
(31) For Mailing Tax Notices, estimated	7,500.00
(32) For Matching Federal Funds not otherwise provided for	100,000.00
(33) For Alabama Mountain Lakes Association	5,000.00
(34) Presidential Electoral Expense, estimated:	
For the fiscal year ending September 30, 1973	100.00
(35) Purchase Code Pocket Supplement, For the fiscal year ending September 30, 1972, estimated	100,000.00
(36) For printing of State and County Privilege Licenses, estimated	8,000.00
(37) Southern Regional Educational Board	8,000.00
(38) Top of Alabama Regional Council on Governments:	
For the fiscal year ending September 30, 1972	35,000.00
(39) For Registration of Voters, Estimated:	
For the fiscal year ending September 30, 1972	200,000.00
For the fiscal year ending September 30, 1973	150,000.00
(40) For State's share of Social Security, estimated	550,000.00
(41) For Spanish War Veterans and Widows Encampment	1,000.00
(42) For Tallapoosa Highland Lake Association	5,000.00
(43) Telephone Revolving Fund:	
For the fiscal year ending September 30, 1972	60,000.00
(44) Tennessee River Development Association	5,000.00
(45) Tennessee-Tombigbee Waterway Development Authority	50,000.00
(To carry out the provisions of Act No. 355, 1957 Reg. Sess., approved August 23, 1957.)	
(46) State Treasurer—Previous Year unpaid warrants, estimated	25,000.00
(47) Commission on Uniform State Laws	4,000.00

Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.	
(48) National Veterans Day Committee, Birmingham, Alabama	1,500.00
(49) Veterans Day Committee	1,000.00
(50) Tri-Rivers Development Association	30,000.00
(For the promotion of the Chattahoochee River)	
(51) Tombigbee Valley Development Authority	30,000.00
(To carry out the provisions of Act No. 264, 1967 Regular Session, approved August 29, 1967.)	
(52) Alabama Steer Association	10,000.00
(53) Alabama Historic Chattahoochee Commission: For salaries, expenses, equipment purchases and automotive equipment purchases	50,000.00

F. FROM FUNDS OTHER THAN GENERAL FUND:

(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:

For salaries, other expenses and equipment purchases:

For the fiscal year ending September 30, 1972	34,600.00
For the fiscal year ending September 30, 1973	38,100.00

In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

For the fiscal year ending
September 30, 1972:

For the salary of the Director, Estimated	16,200.00	
For other salaries	59,787.00	
For other expenses	28,000.00	
For equipment purchases	1,000.00	
Total		104,987.00

For State Aid for Airports—For Airports and Airmarkings	350,000.00
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For the fiscal year ending
September 30, 1973:

For the salary of the Director, Estimated	16,200.00
For other salaries	60,811.00
For other expenses	28,000.00
For equipment purchases	1,000.00

For automotive equipment purchases	3,500.00	
Total		109,511.00
For State Aid to Airports—For Airports and Airmarkings		350,000.00
The above appropriation to Aeronautics Department shall be paid from the State Airports Development Funds as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.		

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts	50,000.00
The above appropriation is payable from the funds transferred to this account in Item III A (5) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities, or the Federal Government are hereby appropriated.	

(4) AGRICULTURE AND INDUSTRIES:

(a) For the fiscal year ending September 30, 1972:

For the salary of the Commissioner	20,000.00	
For other salaries	2,047,500.00	
For other expenses	860,000.00	
For equipment purchases	70,000.00	
For automotive equipment purchases	105,000.00	
For transfer to State Personnel Department	8,553.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	59,850.00	
For awarding prizes and premiums	20,000.00	
For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,254,403.00

For the fiscal year ending September 30, 1973:

For the salary of the Commissioner	20,000.00
For other salaries	1,984,500.00
For other expenses	845,000.00
For equipment purchases	40,000.00
For automotive equipment purchases	75,000.00

For transfer to State Personnel Department	8,613.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	58,500.00	
For awarding prizes and premiums	20,000.00	
For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,115,113.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in III B (1).

The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetable, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of \$100,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For the fiscal year ending September 30, 1972:		
For salaries	63,703.00	
For other expenses	17,000.00	
For automotive equipment purchases	7,000.00	
Total		87,703.00

For the fiscal year ending September 30, 1973:		
For salaries	61,645.00	
For other expenses	17,000.00	
For automotive equipment purchases	3,500.00	

Total **82,145.00**

The above appropriations are payable from funds in the Egg Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(c) Meat and Poultry Inspection Division:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		381,000.00
The above appropriations are payable from the funds transferred to this account in Item III B (1) (b) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government are hereby appropriated.		
(d) 1. Agriculture Center Board:		
For the fiscal year ending September 30, 1972:		
For salaries	30,363.00	
For other expenses	7,000.00	
For rental (Livestock Coliseum, Montgomery)	59,850.00	
Total		97,213.00
For the fiscal year ending September 30, 1973:		
For salaries	29,238.00	
For other expenses	7,000.00	
For rental (Livestock Coliseum, Montgomery)	58,500.00	
Total		94,738.00
The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in III B (2) (b) and III F (4) (a).		
2. Livestock Coliseum:		
For the fiscal year ending September 30, 1972:		
For salaries	63,000.00	
For other expenses	60,000.00	
For equipment purchases	11,000.00	
For automotive equipment purchases	3,500.00	
For repairs to Coliseum	11,200.00	
Total		148,700.00
For the fiscal year ending September 30, 1973:		
For salaries	63,000.00	
For other expenses	60,000.00	
For equipment purchases	1,000.00	
Total		124,000.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in III A (31).

(e) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, and shall include the appropriation made in Item III F (4) (a) of this Act.

(5) ALCOHOLIC BEVERAGE
CONTROL BOARD:

(a) Administrative and Stores
Division:

For the fiscal year ending
September 30, 1972:

For the salary of the Administrator	19,800.00
For other salaries	8,594,365.00
For other expense (Transportation cost for merchandise excluded)	1,881,885.00
For equipment purchases	180,000.00
For automotive equipment purchases	4,000.00
Awards for Convictions, estimated	3,000.00
For transfer to State Personnel Department	29,314.00
For transfer to Mental Health Department	300,000.00
For transfer to Education Department for Temperance Education	55,900.00
For transportation cost on merchandise, estimated	280,000.00

Total	11,348,264.00
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For the fiscal year ending September 30, 1973:	
For the salary of the Administrator	19,800.00
For other salaries	8,309,452.00
For other expenses (Transportation cost for merchandise excluded)	2,038,335.00
For equipment purchases	140,000.00
Awards for Convictions, estimated	3,000.00
For transfer to State Personnel Department	29,521.00
For transfer to Mental Health Department	300,000.00
For transfer to Education Department for Temperance Education	58,867.00
For transportation cost on merchandise, estimated	280,000.00

Total	11,178,975.00
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In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending September 30, 1972:	
For salaries	1,241,212.00
For other expenses	299,064.00
For equipment purchases	10,000.00
For automotive equipment purchases	160,000.00

Total	1,710,276.00
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For the fiscal year ending September 30, 1973:	
For salaries	1,238,780.00
For other expenses	320,464.00
For equipment purchases	10,000.00

For automotive equipment purchases	160,000.00
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Total	1,729,244.00
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The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses Division:

For the fiscal year ending
September 30, 1972:

For salaries	546,467.00
For other expenses	167,615.00
For equipment purchases	2,000.00

Total	716,082.00
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For the fiscal year ending
September 30, 1973:

For salaries	538,904.00
For other expenses	178,275.00
For equipment purchases	2,000.00

Total	719,179.00
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In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year
September 30, 1972:

For salaries	7,371.00
For other expenses	16,850.00

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For equipment purchases	1,000.00	
Total		25,221.00

For the fiscal year
September 30, 1973:

For salaries	7,098.00	
For other expenses	18,050.00	
For equipment purchases	1,000.00	
Total		26,148.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For the fiscal year ending
September 30, 1972:

For salaries	451,025.00	
For other expenses	380,500.00	
For equipment purchases	14,500.00	
For automotive equipment purchases	10,500.00	
Total		856,525.00

For the fiscal year ending
September 30, 1973:

For salaries	449,450.00	
For other expenses	380,500.00	
For equipment purchases	14,500.00	
For automotive equipment purchases	10,500.00	
Total		854,950.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories as provided in Item III A (34) (d) in this Act. Provided, however, that the last Federal Government service contract reimbursement for either of the fiscal years shall not revert to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS:

For salaries, other expenses, and equipment purchases	125,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Section III, A (7).

(9) DEPARTMENT OF BANKING:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated:

For the fiscal year ending September 30, 1972 371,500.00

For the fiscal year ending September 30, 1973 361,000.00

The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session and shall also include the appropriation made in Item III A (11) of this Act.

(10) DEPARTMENT OF BANKING-
LOAN EXAMINATION FUND:

For the fiscal year ending
September 30, 1972:

For salaries	94,500.00
For other expenses	25,000.00
For equipment purchases	500.00

Total	120,000.00
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For the fiscal year ending
September 30, 1973:

For salaries	89,250.00
For other expenses	25,000.00
For equipment purchases	500.00

Total	114,750.00
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The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959 and shall also include the appropriation in Section III A (12) of this Act.

(11) ALABAMA STATE BAR
ASSOCIATION:

For salaries	74,860.00
For other expenses	108,100.00
For equipment purchases	500.00

Total	183,460.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) STATE BOARD OF
CHIROPRACTIC EXAMINERS:

For the fiscal year ending
September 30, 1972:

For salaries	2,520.00
For other expenses	7,450.00
For equipment purchases	3,250.00

Total	13,220.00
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For the fiscal year ending
September 30, 1973:

For salaries	2,520.00
For other expenses	6,970.00

Total	9,490.00
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The above appropriations shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(13) CONSERVATION
DEPARTMENT:

(a) Administrative Division:

For the fiscal year ending
September 30, 1972:

For salary of the Director	19,800.00
For other salaries	336,000.00
For other expenses	145,000.00
For equipment purchases	4,000.00
For automotive equipment purchases	3,500.00
For transfer to Personnel Department	9,946.00

Total	518,246.00
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For the fiscal year ending
September 30, 1973:

For salary of the Director	19,800.00
For other salaries	315,000.00
For other expenses	150,000.00
For equipment purchases	4,000.00
For automotive equipment purchases	3,500.00
For transfer to Personnel Department	10,017.00

Total	502,317.00
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The above appropriations shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For the fiscal year ending
September 30, 1972:

For salaries	1,847,457.00
For other expenses	678,347.98
For equipment purchases	61,442.00
For automotive equipment purchases	106,150.00
For transfer to Conservation Department — Administra- tive Account	195,000.00

Total	2,888,396.98
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For the fiscal year ending
September 30, 1973:

For salaries	1,802,630.00
For other expenses	677,739.60
For equipment purchases	19,831.00
For automotive equipment purchases	92,900.00
For transfer to Conservation Department — Administra- tive Account	195,000.00

Total 2,788,100.60

The funds hereinabove appropriated to
the Game and Fish Division shall be
paid out of the Game and Fish Fund.

(c) State Lands Division:

For the fiscal year ending
September 30, 1972:

For salaries	64,575.00
For other expenses	18,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	7,000.00
For transfer to Conservation Department — Administra- tive Account	5,575.00

Total 96,150.00

For the fiscal year ending
September 30, 1973:

For salaries	63,658.00
For other expenses	18,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	3,500.00
For transfer to Conservation Department — Administra- tive Account	5,575.00

Total 91,733.00

The funds hereinabove appropriated to
the State Lands Division shall be paid
out of the State Lands Division Fund
and the appropriation hereinabove
made includes the appropriation made
to the said fund as provided in Item
III B (3) (a) of thsi Act.

(d) State Parks Division:

For the fiscal year ending
September 30, 1972:

For salaries	1,207,500.00
For other expenses	460,000.00
For equipment purchases	51,500.00
For automotive equipment purchases	73,600.00
For transfer to Conservation Department — Administra- tive Account	175,000.00

Total 1,967,500.00

For the fiscal year ending
September 30, 1973:

For salaries	1,260,000.00
For other expenses	475,000.00
For equipment purchases	51,400.00
For automotive equipment purchases	73,600.00
For transfer to Conservation Department — Administra- tive Account	175,000.00

Total 2,035,000.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund, and shall include funds previously received from the one-cent cigarette tax as provided in Act No. 309, 1967 Regular Session. The funds hereinabove appropriated shall also include the appropriations made in Item III B (b) in this Act.

(e) Seafoods Division:

For the fiscal year ending
September 30, 1972:

For salaries	309,443.00
For other expenses	112,000.00
For equipment purchases	23,000.00
For automotive equipment purchases	10,500.00
For transfer to Conservation Department — Administra- tive Account	54,198.00
For Gulf State Marine Fish- eries Commission	5,000.00
For Auburn University—Fish Disease	3,000.00

Total 517,141.00

For the fiscal year ending
September 30, 1973:

For salaries	330,330.00
For other expenses	112,000.00
For equipment purchases	23,000.00
For automotive equipment purchases	10,500.00
For transfer to Conservation Department — Administra- tive Account	54,198.00
For Auburn University—Fish Disease	3,000.00
For entertainment of the Gulf State Fisheries Con- vention	1,500.00
For Gulf State Marine Fish- eries Commission	5,000.00

Total 539,528.00

In addition to the monies hereinabove appropriated, all monies derived from

contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Seafood Division Laboratory at Dauphin Island is hereby appropriated to the Division of Seafoods and may be expended by the Director of Conservation on such Seafood Division Programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.

(f) Water Safety Division:

For the fiscal year ending
September 30, 1972:

For salaries	420,000.00
For other expenses	145,000.00
For equipment purchases	161,500.00
For automotive equipment purchases	50,000.00
For transfer to Conservation Department — Administra- tive Account	41,698.00

Total	818,198.00
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For the fiscal year ending
September 30, 1973:

For salaries	388,500.00
For other expenses	145,000.00
For equipment purchases	51,500.00
For automotive equipment purchases	50,000.00
For transfer to Conservation Department — Administra- tive Account	41,698.00

Total	676,698.00
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The funds hereinabove appropriated to the Water Safety Division shall be paid out of the State Water Safety Fund.

(14) STATE LICENSING BOARD

FOR GENERAL
CONTRACTORS:

For the fiscal year ending
September 30, 1972:

For salaries	49,630.00
For other expenses	20,000.00
For equipment purchases	1,000.00

Total	70,630.00
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For the fiscal year ending
September 30, 1973:

For salaries	50,501.00
For other expenses	20,000.00
For equipment purchases	1,000.00

Total	71,501.00
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In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(15) BOARD OF CORRECTIONS:

For the fiscal year ending
September 30, 1972:

For the salary of the Commissioner	19,800.00
For other salaries	4,042,500.00
For other expenses	3,300,000.00
For equipment purchases	35,000.00
For automotive equipment purchases	75,000.00
For Debt Service, estimated	59,328.00
For transfer to the State Personnel Department	14,205.00

Total 7,545,833.00

For the fiscal year ending
September 30, 1973:

For the salary of the Commissioner	19,800.00
For other salaries	4,042,500.00
For other expenses	3,400,000.00
For equipment purchases	35,000.00
For automotive equipment purchases	75,000.00
For Debt Service, estimated	57,204.00
For transfer to the State Personnel Department	14,305.00

Total 7,643,809.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2).

(16) ALABAMA BOARD OF
COSMETOLOGY:

For the fiscal year ending
September 30, 1972:

For salaries	78,473.00
For other expenses	65,000.00

Total 143,473.00

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For the fiscal year ending
September 30, 1973:

For salaries	76,686.00
For other expenses	65,000.00
For equipment purchases	6,900.00

Total	148,586.00
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The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(17) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department,

For the fiscal year ending September 30, 1972	3,014.00
For the fiscal year ending September 30, 1973	3,036.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(18) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending
September 30, 1972:

For salaries	49,165.00
For other expenses	28,000.00
For investigations and court costs	10,000.00
For equipment purchases	2,000.00

Total	89,165.00
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For the fiscal year ending
September 30, 1973:

For salaries	50,524.00
For other expenses	30,000.00
For investigations and court costs	10,000.00
For equipment purchases	1,000.00

Total	91,524.00
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The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(19) FARMERS MARKET AUTHORITY:

For the fiscal year ending
September 30, 1972:

For salaries	25,427.00
For other expenses	16,800.00
For equipment purchases	500.00

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For automotive equipment purchases	3,500.00	
Total		46,227.00
For the fiscal year ending September 30, 1973:		
For salaries	25,439.00	
For other expenses	16,800.00	
Total		42,239.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market authority and shall include the appropriation herein made in Item III A (19) in this Act.

(20) STATE FORESTRY COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	2,730,000.00	
For other expenses	625,000.00	
For equipment purchases	57,000.00	
For automotive equipment purchases	130,000.00	
For transfer to State Personnel Department	9,231.00	
Total		3,551,231.00
For the fiscal year ending September 30, 1973:		
For salaries	2,677,500.00	
For other expenses	625,000.00	
For equipment purchases	151,750.00	
For automotive equipment purchases	100,000.00	
For transfer to State Personnel Department	9,296.00	
Total		3,563,546.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III, B (4) of this Act.

It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$300,000.00 for each of the fiscal years ending September 30, 1972, and September 30, 1973, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$687,100.00 for the fiscal year ending September 30, 1972, and September 30, 1973, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of

the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(21) STATE BOARD OF REGISTRATION FOR FORESTERS:

For the fiscal year ending
September 30, 1972:

For other expenses	4,505.00
For equipment purchases	700.00

Total	5,205.00
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For the fiscal year ending
September 30, 1973:

For other expenses	4,105.00
For equipment purchases	700.00

Total	5,405.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(22) LICENSING BOARD FOR THE HEALING ARTS:

For the fiscal year ending
September 30, 1972:

For salaries	35,270.00
For other expenses	4,000.00
For equipment purchases	900.00
For automotive equipment purchases	3,500.00

Total	43,670.00
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For the fiscal year ending
September 30, 1973:

For salaries	34,435.00
For other expenses	4,000.00

Total	38,435.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(23) HEALTH DEPARTMENT:

(a) Hospital Licensing:

For the fiscal year ending
September 30, 1972:

For salaries	30,765.00
For other expenses	9,000.00

Total	39,765.00
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For the fiscal year ending
September 30, 1973:

For salaries	30,576.00
For other expenses	5,850.00

Total	36,426.00
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The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriation made to the said fund as provided in Item III A (23) (h) in this Act.

(b) County Health Work:

For salaries, other expenses and equipment purchases, estimated	1,184,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (c) and funds transferred in Item III F (23) (i) and Item III F (23) (g) in this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(c) Indigent Care:

For the fiscal year ending
September 30, 1972:

For salaries	14,027.00
For distribution to counties, estimated	361,111.75

Total	375,138.75
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For the fiscal year ending
September 30, 1973:

For salaries	13,541.00
For distribution to counties, estimated	362,009.50

Total	375,550.50
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (g) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Medicaid:

For the operation of the Medicaid Program	22,000,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (i) by this Act. In addition to the above appro-

priations, any and all funds received to the credit of the medicaid program from whatever source including all funds received from the Federal Government are hereby appropriated.

Any funds remaining in the Medicaid Fund on September 30, of each of the fiscal years 1971-72 and 1972-73 shall not revert but may be carried forward and expended for Medicaid purposes in the ensuing fiscal year. Any funds received in the fiscal year 1971-72 and 1972-73 as a reimbursement of expenditures incurred in the previous year may be used for Medicaid purposes in these years.

(e) Bureau of Vital Statistics:

For the fiscal year ending
September 30, 1972:

For salaries	315,293.00
For other expenses	35,000.00
For equipment purchases	12,000.00

Total	362,293.00
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For the fiscal year ending
September 30, 1973:

For salaries	311,040.00
For other expenses	35,000.00
For equipment purchases	4,000.00

Total	350,040.00
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The above appropriations are payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(f) Health Department:

For the fiscal year ending
September 30, 1972:

For salaries	915,000.00
For transfer to the County Health Work Account	375,000.00

Total	1,290,000.00
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For the fiscal year ending
September 30, 1973:

For salaries	951,750.00
For transfer to the County Health Work Account	375,000.00

Total	1,326,750.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(g) Health Department:

For the fiscal year ending
September 30, 1972:

For salaries	477,210.00
For other expenses	475,000.00
For equipment purchases	25,000.00
For transfer to the County Health Work Account	384,000.00

Total	1,361,210.00
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For the fiscal year ending
September 30, 1973:

For salaries	470,528.00
For other expenses	475,000.00
For equipment purchases	25,000.00
For transfer to the County Health Work Account	384,000.00

Total	1,354,528.00
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The above appropriations are payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

(24) HIGHWAY AND BRIDGES:

In addition to any and all appropriations heretofore or hereafter made from the revenues accruing to the State Highway Department, there is hereby appropriated for transfer to the State Personnel Department the following amounts:

For the fiscal year ending September 30, 1972	27,390.00
For the fiscal year ending September 30, 1973	28,237.00

(The above appropriations to the State Personnel Department are in addition to the amounts appropriated by Act No. 90, 1971 Special Session.)

In addition to any and all appropriations heretofore or hereafter made from the revenues accruing to the State Highway Department, there is hereby appropriated, to provide for salary increases for Highway Department Personnel, the following amounts:

(a) For Administration of the State Highway Department	67,246.00
(b) For Operations of the State Highway Department	589,546.00
(c) For Supervision of the State Highway Department	209,267.00
(d) For the maintenance of roads and bridges in the State Highway Department	439,972.00

- (e) For construction of Feeder Roads and other portions of, or work in respect to, Federal Aid Projects for which portions or Work Federal Matching Funds are not available 461,279.00
- (f) For construction of roads and bridges for which no matching funds are available 150,502.00

For the fiscal year ending September 30, 1972, Total 1,971,812.00

For the fiscal year ending September 30, 1973, Total 1,971,812.00

(The above appropriations are in addition to the amounts appropriated by Act No. 90, 1971 Special Session.)

(25) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:

For salaries, other expenses and equipment purchases 75,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (24) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(26) ALABAMA HISTORICAL COMMISSION:

For the fiscal year ending September 30, 1972:

For salaries 59,745.00
For other expenses 10,000.00
For equipment purchases 2,000.00

Total 71,745.00

For the fiscal year ending September 30, 1973:

For salaries 56,070.00
For other expenses 10,000.00
For equipment purchases 2,000.00
For automotive equipment purchases 3,500.00

Total 71,570.00

The above appropriations shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III A (25) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

(27) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the fiscal year ending September 30, 1972:	
For the salary of the Director, estimated	19,800.00
For transfer to the State Personnel Department	25,960.00
For the fiscal year ending September 30, 1973:	
For salary of the Director, estimated	19,800.00
For transfer to the State Personnel Department	26,144.00
For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (27), all such sums as the United States Government may make available therefor.	

(28) STATE INSURANCE FUND:

For the fiscal year ending September 30, 1972:	
For salaries	94,500.00
For other expenses	32,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	7,000.00
Total	134,500.00
For the fiscal year ending September 30, 1973:	
For salaries	89,250.00
For other expenses	32,000.00
For equipment purchases	500.00
For automotive equipment purchases	3,500.00
Total	125,250.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(29) LAW ENFORCEMENT FUND 8,000.00

The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such fund are limited to the amount appropriated herein.

(30) LIQUEFIED PETROLEUM GAS BOARD:

For the fiscal year ending
September 30, 1972:

For salary of Director, estimated	13,824.00
For other salaries	33,368.00
For other expenses	15,775.00
For equipment purchases	500.00
For automotive equipment purchases	3,500.00

Total	66,967.00
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For the fiscal year ending
September 30, 1973:

For salary of Director, estimated	13,824.00
For other salaries	32,132.00
For other expenses	15,775.00
For equipment purchases	500.00
For automotive equipment purchases	3,500.00

Total	65,731.00
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The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(31) MILK CONTROL BOARD:

For the fiscal year ending
September 30, 1972:

For salaries	104,492.00
For other expenses	49,335.00
For equipment purchases	500.00

Total	154,327.00
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For the fiscal year ending
September 30, 1973:

For salaries	105,920.00
For other expenses	44,510.00
For equipment purchases	500.00

Total	150,930.00
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The above appropriations shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(32) BOARD OF NURSES' EXAMINERS AND REGISTRATION:

For the fiscal year ending
September 30, 1972:

For salaries	92,267.70
For other expenses	57,367.75
For equipment purchases	7,300.00

Total	156,935.45
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For the fiscal year ending
September 30, 1973:

For salaries	104,797.00
For other expenses	47,617.75
For equipment purchases	3,500.00
For automotive equipment pur- chases	3,500.00

Total	159,414.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(33) BOARD OF NURSING HOME
ADMINISTRATION:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated

16,800.00

The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(34) PENSIONS:

(a) For Confederate Veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate Soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(35) DEPARTMENT OF PENSIONS AND
SECURITY:

For the fiscal year ending September 30, 1972:

For the salary of the Commissioner	19,800.00
For transfer to the State Personnel Department	51,317.00

For the fiscal year ending September 30, 1973:

For the salary of the Commissioner	19,800.00
For transfer to State Personnel Department ..	51,680.00

For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (35), all Federal, State, County and Municipal funds made available therefor.

(36) PERSONNEL DEPARTMENT:

For the fiscal year ending
September 30, 1972:

For salary of the Director, estimated	18,000.00
For other salaries	293,956.00
For other expenses	89,852.90
For equipment purchases	2,154.00
For automotive equipment purchases	3,200.00

Total	407,162.90
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For the fiscal year ending
September 30, 1973:

For salary of the Director, estimated	18,000.00
For other salaries	293,673.00
For other expenses	92,102.90
For equipment purchases	6,434.00

Total	410,209.90
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The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(37) ALABAMA DEVELOPMENT OFFICE:

For the fiscal year ending
September 30, 1972:

For the salary of the Director ..	19,800.00
For other salaries	892,500.00
For other expenses	350,000.00
For equipment purchases	10,000.00
For automotive equipment purchases	10,500.00
For National Advertising and Industrial Promotion	200,000.00
For Contracts	122,000.00
For Feasibility Study—City of Talladega	25,000.00

Total	1,629,800.00
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For the fiscal year ending
September 30, 1973:

For the salary of the Director ..	19,800.00
For other salaries	840,000.00
For other expenses	350,000.00
For equipment purchases	5,000.00
For National Advertising and Industrial Promotion	150,000.00
For Contracts	82,000.00

Total	1,446,800.00
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The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item

III A (17) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(38) BOARD OF EXAMINERS OF
PSYCHOLOGY:

For salaries, other expenses, and equipment purchases, estimated	2,500.00
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The above appropriation shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (39).

(39) BUREAU OF PUBLICITY AND
INFORMATION:

For the fiscal year ending
September 30, 1972:

For salaries	63,000.00
For other expenses	45,000.00
For equipment purchases	4,000.00
For advertising	400,000.00
For Welcome Centers:	
Operation and Maintenance	50,000.00

Total	562,000.00
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For the fiscal year ending
September 30, 1973:

For salaries	63,000.00
For other expenses	45,000.00
For advertising	400,000.00
For Welcome Centers:	
Operation and Maintenance	50,000.00

Total	558,000.00
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The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(40) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(41) PUBLIC SERVICE
COMMISSION:For the fiscal year ending
September 30, 1972:

For salary of the President and Two Associate Commissioners	54,500.00
For other salaries	472,500.00
For other expenses	175,000.00
For equipment purchases	10,000.00
For automotive equipment pur- chases	10,500.00

Total	722,500.00
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For the fiscal year ending
September 30, 1973:

For salary of the President and Two Associate Commissioners	54,500.00
For other salaries	446,250.00
For other expenses	175,000.00
For equipment purchases	5,000.00
For automotive equipment pur- chases	10,500.00

Total	691,250.00
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The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of a fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

(42) ALABAMA REAL ESTATE
COMMISSION:For the fiscal year ending
September 30, 1972:

For salaries	45,578.00
For other expenses	30,000.00
For equipment purchases	500.00

Total	76,078.00
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For the fiscal year ending
September 30, 1973:

For salaries	45,578.00
For other expenses	30,000.00
For equipment purchases	500.00

Total	76,078.00
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The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14,

of the Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(43) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (42) (a) of this Act.

For the fiscal year ending September 30, 1972 894,065.30

For the fiscal year ending September 30, 1973 895,204.85

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 98,603.17

For the fiscal year ending September 30, 1973 98,728.85

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 100,499.53

For the fiscal year ending September 30, 1973 100,627.48

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 659,882.77

For the fiscal year ending September 30, 1973 660,723.84

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax Collections, for the cost of collecting said tax,

For the fiscal year ending September 30, 1972 2,192,024.37

For the fiscal year ending September 30, 1973 2,194,818.27

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 381,139.18

For the fiscal year ending September 30, 1973 381,624.98

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department,

For the fiscal year ending September 30, 1972 385,879.72

For the fiscal year ending September 30, 1973 386,371.56

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Pension Fund as part of

the cost of collections of the 1-Mill Ad Valorem Tax,	
For the fiscal year ending September 30, 1972	117,565.32
For the fiscal year ending September 30, 1973	117,715.16
There is hereby appropriated for transfer to Revenue Department Administrative Account, from the Public School Fund as part of the cost of collection of the 3-Mill Ad Valorem Tax,	
For the fiscal year ending September 30, 1972	291,068.98
For the fiscal year ending September 30, 1973	291,439.97
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	3,050,061.59
For the fiscal year ending September 30, 1973	3,053,949.13
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	57,834.55
For the fiscal year ending September 30, 1973	57,908.27
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	628,595.22
For the fiscal year ending September 30, 1973	629,396.42
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	300,550.05
For the fiscal year ending September 30, 1973	300,933.13
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Cigarette Tax collections Act 275, 1967 Regular Session as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	127,046.39
For the fiscal year ending September 30, 1973	127,208.33
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Utility Tax collections as provided in Act No. 37, 1969 Special Session,	
For the fiscal year ending September 30, 1972	196,258.24
For the fiscal year ending September 30, 1973	196,508.38
For the fiscal year ending September 30, 1972:	
Total	9,481,074.24

For the fiscal year ending September 30, 1973:	
Total	9,493,158.62

There is hereby appropriated to the Revenue Department from the gross proceeds of Motor Vehicle License collections for the purchase only, of Motor Vehicle License tags,

For the fiscal year ending September 30, 1972	1,160,000.00
For the fiscal year ending September 30, 1973	1,210,000.00

(44) DEPARTMENT OF REVENUE—
ADMINISTRATIVE ACCOUNT:

For the fiscal year ending
September 30, 1972:

For the salary of the Commissioner	19,800.00
For other salaries	6,828,526.00
For other expenses, estimated	1,756,850.00
For equipment purchases	30,000.00
For automotive equipment purchases	21,000.00
For transfer to State Personnel Department	15,778.00

Total	8,671,954.00
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For the fiscal year ending
September 30, 1973:

For the salary of the Commissioner	19,800.00
For other salaries	6,758,735.00
For other expenses, estimated	1,844,350.00
For equipment purchases	30,000.00
For automotive equipment purchases	21,000.00
For transfer to State Personnel Department	15,895.00

Total	8,689,780.00
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The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.

(45) STATE BOARD OF REGISTRATION FOR SANITARIANS:

For salaries	945.00
For other expenses	1,480.00

Total	2,425.00
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The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, Second Special Session, 1964.

(46) TEMPERANCE EDUCATION:

For the fiscal year ending
September 30, 1972:

For salaries	41,659.00	
For other expenses	14,775.00	
For equipment purchases	1,000.00	
Total		55,434.00

For the fiscal year ending
September 30, 1973:

For salaries	45,825.00	
For other expenses	14,775.00	
Total		60,600.00

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(47) BOARD OF PHYSICAL
THERAPIST:

For the fiscal year ending
September 30, 1972:

For expenses	2,150.00	
For equipment purchases	200.00	
Total		2,350.00

For the fiscal year ending
September 30, 1973:

For expenses		2,500.00
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The above appropriations shall be paid from receipts paid into the Board of Physical Therapist Fund.

(48) UNIVERSITY OF ALABAMA—
MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated	23,000.00
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The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(49) STATE BOARD OF VETERI-
NARY MEDICAL EXAMINERS:

For salaries	105.00	
For other expenses	6,650.00	
For equipment purchases	250.00	
Total		7,005.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1971.

The Standing Committee on Finance and Taxation reported the following amendment to the substitute for the Bill, H. B. 1801, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801

Amend the substitute for House Bill 1801 by striking therefrom in Section 2, III, E, (45) on page 36 of the bill the figures "50,000.00" and insert in lieu thereof the figures "80,000.00."

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801

Amend the substitute for House Bill 1801 by deleting on page 36 of the bill the whole of Section 2, III, E, (51) as said sub-section (51) appears therein.

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801

Amend the substitute for House Bill 1801 by renumbering on page 36 of said bill subsections (52) and (53) of Section 2, III, E to subsections (51) and (52).

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801

Amend the substitute for House Bill 1801 by adding at the end of the second paragraph of Section 2, III, F, (23), (d) on page 60 of said bill the following (which will be the third paragraph of said sub-section (d)):

"In addition to other services provided, this appropriation shall include optometric services and pharmacist services."

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801 by striking therefrom the whole of Section 2, I, (4) on page 2 of said bill and insert in lieu thereof the following.

"(4) LEGISLATIVE REFERENCE SERVICE:

For the fiscal year ending September 30, 1972:

For salary of the Director	20,000.00
For other salaries	147,000.00
For other expenses	9,000.00
For equipment purchases	2,500.00
For automotive equipment purchases	3,500.00

Total	182,000.00
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For the fiscal year ending September 30, 1973:

For salary of the Director	20,000.00
For other salaries	140,700.00
For other expenses	8,000.00
For equipment purchases	1,000.00

Total	169,700.00
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Commission on Intergovernmental
Cooperation:

For salaries	1,800.00
For other expenses	3,200.00

Total	5,000.00
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Code Revision:

For salaries and expenses, estimated	10,000.00"
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Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute to House Bill 1801 by adding at the end of Section 2, III, E, (52) on page 36 of said bill the following words and figures:

"(53) Alabama Wing Civil Air Patrol	25,000.00"
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Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801 on page 30, Section 2, III, B, (9) (1) by deleting said sub-section (1) in its entirety and inserting in lieu thereof the following sub-section (1):

"(1) Bear Creek Development Authority	31,250.00"
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Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801, page 30, Section 2, III, B, (9) (4) and (5) by deleting said subsections (4) and (5) in their entirety and insert in lieu thereof the following sub-sections (4) and (5):

- | | |
|---|-----------|
| “(4) Big Wills Creek Watershed, Dekalb County | 7,000.00 |
| (5) Big Wills Creek Watershed, Etowah County | 7,000.00” |

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801 on page 35, Section 2, III, E, (33) by deleting the figure “5,000.00” and insert in lieu thereof the figure “7,500.00.”

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801 on page 36 by adding at the end of Section 2, III, E, of said bill the following words and figures:

- | | |
|---|-----------|
| “(54) For the Tannehill Furnace and Foundry Com-
mission | 10,000.00 |
| (To carry out the provisions of Act No. 994, 1969
Regular Session.)” | |

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801 by striking therefrom on page 65 of the bill the whole of Section 2, III, F (31) where same appears therein and insert in lieu thereof the following:

"(31) ALABAMA DAIRY COMMISSION:

For the fiscal year ending September 30, 1972:

For salaries 118,652.00

For other expenses 90,954.00

For equipment purchases 3,000.00

For automotive equipment purchases 7,000.00

Total 219,606.00

For the fiscal year ending September 30, 1973:

For salaries 117,278.00

For other expenses 78,700.00

For equipment purchases 3,000.00

Total 198,978.00

The above appropriations shall be paid out of the Alabama Dairy Commission Fund as is provided in Title 22 Chapter 7, Code of Alabama 1940."

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

**COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801**

Amend the substitute for House Bill 1801 by striking on page 12 of said bill the whole of Section 2, III, A, (19) and insert in lieu thereof the following:

"(19) FARMERS MARKET AUTHORITY

For transfer to the Farmers Market Authority for the operation of the Farmers Market Authority:

For the fiscal year ending September 30, 1972\$ 51,500.00

For the fiscal year ending September 30, 1973 47,100.00

Further amend the substitute for House Bill 1801 on page 56 of said bill by striking the whole of Section 2, III, F, (19) and insert in lieu thereof the following:

"(19) FARMERS MARKET AUTHORITY:

For the fiscal year ending September 30, 1972:

For salaries\$ 26,500.00

For other expenses 18,000.00

For equipment purchases 500.00

For automotive equipment purchases 3,500.00 \$ 48,500.00

For the fiscal year ending September 30, 1973:

For salaries 26,000.00

For equipment purchases 100.00

For other expenses 18,000.00 \$ 44,100.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III, A (19) in this Act."

Which was adopted.

The Standing Committee on Finance and Taxation then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE
FOR HOUSE BILL 1801

Amend the substitute for House Bill 1801 on page 36 by adding the following words and figures at the end of Section 2, III, E of said bill:

“(55) Spirit of America Festival, Decatur 3,000.00”

Which was adopted.

Mr. Fine offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. 1801

In Section 2. III A (32) (a) strike out the following words and figures:

“For State aid to county units 47,500.00
Total 243,500.00”

and insert in lieu thereof the following:

“For State aid to county units 163,500.00
Total 359,500.00”

Mr. Wilson moved that said amendment be laid on the table, which motion was lost.

And said amendment offered by Mr. Fine was then adopted.

Mr. McLain offered the following amendment to the substitute, as amended, for the bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend the Substitute for H. B. 1801 by deleting the whole of Section 2, III, A, (40), on page 22 of the Bill and insert in lieu thereof the following:

“(40) BUREAU OF PUBLICITY AND
INFORMATION:

For the fiscal year ending September 30, 1972:	
For the salary of the Director	18,000.00
For other salaries	52,500.00
For other expenses	105,000.00
For equipment purchases	3,000.00
For automotive equipment purchases	10,150.00
For Ava Marie Grotto	2,500.00
For Mobile Junior Miss Pageant	14,250.00
For Guntersville Boat Races	9,500.00
For Blue and Gray Football Game	10,000.00
For Lake Eufaula Festival	10,000.00
For Mobile Carnival Association ...	3,000.00

Total 237,900.00

For the fiscal year ending September 30, 1973:	
For the salary of the Director	18,000.00
For other salaries	52,500.00
For other expenses	105,000.00
For equipment purchases	1,000.00
For Ava Marie Grotto	2,500.00
For Mobile Junior Miss Pageant	14,250.00
For Guntersville Boat Races	9,500.00
For Blue and Gray Football Game	10,000.00
For Lake Eufaula Festival	10,000.00
For Mobile Carnival Association	3,000.00

Total	225,750.00"
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Which was adopted.

Mr. Shelby offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend the Substitute for H. B. 1801 by adding at the end of page 36 of the Bill in Section 2, III, E, the following words and figures:

"(55) The Alabama Law Institute	75,000.00"
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Which was adopted.

Mr. Edington offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend Finance and Taxation Substitute for H. B. 1801 as follows:

In Section 2, strike paragraph III, Subsection (46) on page 25 (relating to the State Sovereignty Commission) in its entirety, and re-number subsequent subsections accordingly.

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham
Branyon	Givhan	McLain	Register
Cook	Hammond	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Fine	Horne	Owen	Wilson
Foshee	Littleton		

—21

Nays:

Messrs.:	Edington	King	Pierce
Bailes	Harris	Lindsey	Wilder
Dominick	Jones	O'Bannon	

—10

Mr. Littleton offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO H. B. 1801

Amend H. B. 1801 in section "E" item 42, by striking the amount \$5,000.00, and inserting \$7,500.00.

Which was adopted.

Mr. Owen offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO H. B. 1801

Amend F & T sub. H. B. 1801, as amended by adding at the end of Sec III 13 (f) the following:

"In addition to the appropriations hereinabove made to the Water Safety Division, there is hereby also appropriated such additional revenues that may be needed that are derived during the biennium from an increase in the boat registration fees. One-half of the additional revenues are to be used for the purpose of salaries, other expenses, equipment purchases, and if required, additional transfers to the Administrative Division."

Which was adopted.

Mr. Wilson offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT FOR F & T SUBSTITUTE FOR H. B. 1801

On page 2 strike out in section I subsection (1) the figures \$1,750,000 and insert in lieu thereof the figures \$2,000,000 for fiscal year ending September 30, 1972. Also on page 2 strike out in Section I subsection (1) the figures \$2,000,000 and insert in lieu thereof the figures \$2,250,000 for fiscal year ending September 30, 1973.

Which was adopted.

Mr. Owen offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend H. B. 1801 as follows:

Add to Section II, Subsection 4, the following:

"For the Circuit Court for expenses to Escambia
County caused by cases from the state prison
farm and the Holman total security unit \$ 7,500.00"

Which was adopted.

Mr. Cooper offered the following amendment to the substitute, as amended, for the bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend Section 2, III, C (6)

BOARD OF PARDONS AND PAROLES:

For the fiscal year ending

September 30, 1972: delete for "other expenses" \$123,000.00 and insert in lieu thereof the following:

For other expenses\$ 118,000.00

and further delete for Equipment purchases "\$4,000.00" and insert in lieu thereof the following:

For Equipment Purchases\$ 9,000.00

Which was adopted.

Mr. Cooper offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend H. B. 1801 as substituted by striking therefrom the whole of Section 2, III, A, 48 on page 25 of the bill and insert in lieu thereof the following:

(48) STATE TOXICOLOGIST:

For salary of the State Toxicologist	19,800.00	
For other salaries	294,000.00	
For other expenses	52,500.00	
For equipment purchases	9,000.00	
For automotive equipment purchases	3,500.00	
Total		378,800.00

Which was adopted.

Mr. Cooper offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 1801

Amend the Substitute for H. B. 1801 by deleting the whole of Section 2, III, C, (2) on page 30 of the Bill and inserting in lieu thereof the following:

"(2) BOARD OF CORRECTIONS:

For transfer to Board of Corrections 5,928,000.00"

Further amend the Substitute by deleting the whole of Section 2, III, F, (15) on pages 53 and 54 of the Bill and inserting in lieu thereof the following:

"(15) BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1972:		
For the salary of the Commissioner	19,800.00	
For other salaries	4,232,500.00	
For other expenses	3,300,000.00	
For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	59,328.00	
For transfer to the State Personnel Department	14,205.00	
Total		7,735,833.00

For the fiscal year ending
September 30, 1973:

For the salary of the Commissioner	19,800.00
For other salaries	4,232,500.00
For other expenses	3,400,000.00

For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	57,204.00	
For transfer to the State Personnel Department	14,305.00	
Total		7,833,809.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2)."

Which was adopted.

Mr. King offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend H. 1801, subsection (40) on page 22 by adding thereto, for each of the two years set out, the following:

FOR THE BIRMINGHAM FESTIVAL OF ARTS \$ 3,000.00

Which was adopted.

Mr. Wilson offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

By Mr. Wilson:

Amend H. B. 1801 by deleting the whole of Section 2, III, A, (16), on page 11 of the Bill and insert in lieu thereof the following:

"(16) DEPARTMENT OF CIVIL DEFENSE:

For the fiscal year ending
September 30, 1972:

For salary of the Director	16,200.00	
For other salaries	115,675.00	
For other expenses	38,500.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		174,875.00

For the fiscal year ending
September 30, 1973:

For salary of the Director	16,200.00	
For other salaries	114,841.00	
For other expenses	38,500.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		173,541.00"

Which was adopted.

Mr. Wilson offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Amend the Substitute for H. B. 1801 by striking the whole of Section 2, III, F, (13), (b), on page 49 of the Bill and inserting in lieu thereof the following:

“(b) Game and Fish Division:

(1) For the fiscal year ending September 30, 1972:

For salaries	1,847,457.00
For other expenses	678,347.98
For equipment purchases	61,442.00
For automotive equipment purchases	106,150.00
For transfer to Conservation Department—Administrative Account	195,000.00

Total 2,888,396.96

For the fiscal year ending September 30, 1973:

For salaries	1,882,630.00
For other expenses	677,739.60
For equipment purchases	19,831.00
For automotive equipment purchases	92,900.00
For transfer to Conservation Department—Administrative Account	195,000.00

Total 2,788,100.60

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(2) For the fiscal year ending September 30, 1972:

For salaries	447,775.00
For other expenses	361,900.00
For equipment purchases	104,860.00
For automotive equipment purchases	249,650.00

Total 1,164,185.00

For the fiscal year ending September 30, 1973:

For salaries	549,923.00
For other expenses	357,932.00
For equipment purchases	123,562.00
For automotive equipment purchases	109,600.00

Total 1,141,017.00

The funds hereinabove appropriated to the Game and Fish Division in Item (b) (2) shall be paid out of the Game and Fish Division conditional upon the passage of H. B. 37 and H. B. 39, 1971 Regular Session of the Legislature.

Which was adopted.

Mr. Wilson offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 1801

Amend H. B. No. 1801, Section 2, III, F. (4) wherein funds are appropriated to "Agriculture and Industries" as follows:

In Item (a) on page 39 of said bill and immediately below the word "Total" and above the last three paragraphs on said page, insert the following words and figures as a separate paragraph:

"In the event H. B. 46, now pending, is enacted the sum of \$60,000.00 is also appropriated for other salaries, other expenses and equipment purchases including automotive equipment as additional or supplemental to the foregoing appropriations for each fiscal year."

Which was adopted.

Mr. Dominick offered the following amendment to the substitute, as amended, for the Bill, H. B. 1801, to-wit:

AMENDMENT TO F & T SUBSTITUTE FOR H. B. 1801

Section III, Item 42 (c), Page 23

42 (c) Department of Revenue

For transfer to the Department of Revenue for the General Fund's share of the cost of operating permanent and portable truck weighing facilities for enforcing the provisions of Chapter 3, Title 36, Code of Alabama 1940, as amended, and Chapter 20, Title 51, Code of Alabama 1940, as amended.

For the fiscal year ending September 30, 1972 \$-0-

For the fiscal year ending September 30, 1973 \$500,000

Which was adopted.

And said Committee substitute, as thus amended, for the Bill, H. B. 1801, was then adopted by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Gilmore	Lindsey	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Hammond	Malone	Vacca
Clark	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones	Pelham	

—30

Nays:

—0

And said Bill, H. B. 1801, as thus amended by the substitute, was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Lindsey	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hammond	McLain	Shelby
Clark	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington			

—32

Nays:

—0

The Bill:

H. 9. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

was taken up.

Mr. Wilson offered the following amendment to the Bill, H. B. 9, to-wit:

AMENDMENT TO H. B. 9

Amend H. B. 9 by striking Section 1 and in lieu thereof insert the following:

The balance of any additional appropriation from the State Treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses standing to the account of the Legislative Reference Service at the end of the fiscal year September 30, 1971, will not lapse but the balance is hereby reappropriated for the year ending September 30, 1972, to be used only for the purposes for which said additional appropriation was made.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Bailes	Foshee	King	Register
Branyon	Gilmore	Malone	Shelby
Clark	Givhan	Noonan	Vacca
Cooper	Hammond	O'Bannon	Weaver
Dominick	Hawkins	Owen	Wilder
Dozier	Horne	Pelham	Wilson
Edington			

—28

Nays:

—0

And said Bill, H. B. 9, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce	
Balles	Foshee	King	Register	
Branyon	Gilmore	Lindsey	Sheiby	
Carr	Givhan	Noonan	Vacca	
Clark	Hammond	O'Bannon	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Edington	Horne			—29

Nays:

—0

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 119. RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

H. 2823	P. 129
H. 1799	P. 74
H. 875	P. 83
H. 876	P. 84

On motion of Mr. Clark, said Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

H. 2823. To prohibit the denial of admission of any child to any public school in this State under certain conditions.

And said Bill H. B. 2823, was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Noonan	Wilder	
Cooper	Harris	Owen	Wilson	
Dozier	Jones	Pelham		—26

Nays:

—0

The Bill:

H. 1799. To authorize Alabama Public School and College Authority to sell and issue \$10,285,000 aggregate principal amount of addi-

tional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sale thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds and the bonds of the Authority that may be issued under Act No. 94 adopted at the 1971 Special Session of the Legislature, from proceeds of the residue of certain excise taxes, and that the appropriation and pledge made in this Act shall be in lieu of that made in the said Act No. 94; to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, pro rata with the principal of and interest on the bonds issued under the said Act No. 94, the moneys so appropriated and pledged in this Act; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded, to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 1799, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 1799

Section 7 of House Bill 1799 is hereby amended by striking Section 7 in its entirety and by substituting in lieu thereof the following.

"Section 7. The proceeds of all bonds, other than refunding bonds, issued by the Authority remaining after paying expenses of their issuance, shall be deposited in the State Treasury, and shall be carried in the State Treasury in a special or separate account. Such remaining funds shall be subject to be drawn upon the Authority with the approval of the Secretary of the Authority and the Governor, but any funds so withdrawn shall be used solely for the purpose of financing the construction, reconstruction, alteration, improvement, and equipment of buildings and other facilities for public educational purposes including the cost of architectural services therefor and services rendered by building inspectors for periodic and final inspections thereof in accordance with the provisions of this Act.

The proceeds from the sale of the bonds remaining after payment of the expense of issuance thereof shall be used as follows:

(a) Alabama Agricultural and Mechanical University	\$ 750,000
(b) Alabama State University	750,000
(c) George C. Wallace State Junior College and Technical Institute (Selma)	750,000

(d) Jefferson State Junior College	1,750,000
(e) John C. Calhoun State Technical Junior College ...	700,000
(f) Mobile State Junior College	400,000
(g) Southern Union State Junior College	250,000
(h) Alexander City State Junior College	300,000
(i) George C. Wallace State Junior College (Dothan)	300,000
(j) Snead State Junior College	300,000
(k) Northwest Alabama State Junior College	300,000
(l) Northeast State Junior College	300,000
(m) Enterprise State Junior College	300,000
(n) Patrick Henry State Junior College	300,000
(o) Lurleen B. Wallace State Junior College	300,000
(p) Gadsden State Junior College	300,000
(q) Brewer State Junior College	200,000
(r) James H. Faulkner State Junior College	500,000
(s) Buses for junior colleges	300,000
(t) Cherokee County for the establishment of an area vocational training school	135,000
(u) W. S. Neal High School of East Brewton, Alabama	120,000
(v) For the public schools of Bridgeport in Jackson County	150,000
(w) DeKalb County for the establishment of an area vocational training school	225,000
(x) City school system of Russellville for the construc- tion of an auditorium	250,000
(y) Each state trade school to receive an equal share from	5,070,000
	<u>\$15,000,000</u>

The preparation of all plans and specifications for any building constructed wholly or in part with any of the money realized from this issue, and all work done hereunder in regard to the construction, reconstruction, alteration, and improvement of buildings, shall be supervised by the Alabama Building Commission, or any agency which may be designated by the Legislature as its successor, and the Authority shall reimburse the Building Commission for its reasonable direct costs in having plans, specifications and contract documents prepared and in supervising and inspecting the work. The expenses of issuance of the bonds and supervision of construction shall be prorated among the recipients thereof."

FURTHER AMEND H. B. 1799 AS FOLLOWS

Amend the Title of the bill by striking the figure \$10,000,000 on the second line thereof, and substitute therefor the figure:

\$15,000,000

Amend Section 2 of the bill by striking the figure \$10,000,000 and substitute therefor the figure:

\$15,000,000

On motion of Mr. Lybrand, said amendment was laid on the table.

Mr. Foshee offered the following substitute for the Bill, H. B. 1799, to-wit:

SUBSTITUTE FOR HOUSE BILL 1799

A BILL
TO BE ENTITLED
AN ACT

To authorize Alabama Public School and College Authority to sell and issue \$15,000,000 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sale thereof; to make an appropriation and pledge, for the prorata payment of the principal of and the interest on the said bonds and the bonds of the Authority that may be issued under Act No. 94 adopted at the 1971 Special Session of the Legislature, from proceeds of the residue of certain excise taxes, and that the appropriation and pledge made in this Act shall be in lieu of that made in the said Act No. 94; to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, pro rata with the principal of and interest on the bonds issued under the said Act No. 94, the moneys so appropriated and pledged in this Act; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. Wherever used in this Act the following terms shall have the following respective meanings unless the context clearly indicates otherwise:

"1957 Act" means Act No. 499 adopted at the 1957 Regular Session of the Legislature.

"1959 Act" means Act No. 126 adopted at the Second Special Session of 1959 of the Legislature.

"1965 Act" means Act No. 243 adopted at the First Special Session of 1965 of the Legislature.

"1967 Act" means Act No. 403 adopted at the 1967 Regular Session of the Legislature.

"1969 Act" means Act No. 1031 adopted at the 1969 Regular Session of the Legislature.

"1971 Act" means Act No. 94 adopted at the Special Session of the Legislature that convened on March 31, 1971.

"Authority" means Alabama Public School and College Authority, a public corporation and instrumentality of the State that was organized and is existing under the provisions of the 1965 Act.

"Board" means the board of directors of the Authority.

"Bonds" (except where that word is used with reference to bonds issued under another Act), means those bonds, other than Refunding Bonds, issued under the provisions of this Act.

"Capital Improvements" means buildings containing classrooms, libraries, laboratories and teaching facilities and school buses in connection therewith.

"Legislature" means the Legislature of Alabama.

"Previously Authorized But Unissued Bonds" means those that the Authority is authorized to issue under the provisions of Act No. 94 adopted at the Special Session of the Legislature that convened on March 31, 1971.

"Refunding Bonds" means those Refunding Bonds issued under the provisions of this Act.

"State" means the State of Alabama.

Nouns and pronouns when used in this Act shall be deemed to include both singular and plural and all applicable genders.

For ready recognition, the first letters of the terms above defined are capitalized where they appear in this Act.

Section 2. Authorization to Issue Additional Bonds and Purposes Thereof. Alabama Public School and College Authority is hereby authorized to sell and issue its Bonds in the aggregate principal amount of \$15,000,000 for the construction and equipment of Capital Improvements for public educational purposes, including trade schools and junior colleges, in the State. The Bonds authorized in this Act to be issued by the Authority shall be in addition to all other bonds heretofore authorized to be issued by it.

Section 3. Execution and Other Details of the Bonds; Eligibility as Security for Deposits and for Investment of Fiduciary Funds. The Bonds shall be executed, sealed and attested, shall with the income therefrom be exempt from all taxation in the State, may be used as security for deposits, and shall be eligible for investments of fiduciary funds and shall constitute negotiable instruments, all as is provided in the 1965 Act. The Bonds shall be in such form or forms and denomination or denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, may be made subject to redemption prior to their maturities, and may contain provisions not inconsistent with this Act, all as may be provided by the resolution of the Board under which the Bonds may be issued; provided, that no Bonds shall have a specified maturity date later than twenty years after their date; and provided further, that those Bonds having maturities more than ten years after their date shall be subject to redemption at the option of the Authority on any interest payment date on and after the tenth anniversary after their date at such redemption price and under such conditions as may be prescribed in the proceedings of the Authority under which they are issued. The Board may fix the terms and conditions under which such sale may be held; provided, that none of the Bonds may be sold for a price less than the face value thereof and such terms and conditions shall not conflict with any of the requirements of this Act. Neither a public hearing nor consent of the State Department of

Finance or any other department or agency shall be a prerequisite to the issuance of the Bonds.

Section 4. Sale of the Bonds. The Bonds may be sold by the Authority from time to time as a whole or in series, whether by separate sales or in conjunction with all or any part of those that may be sold by the Authority under the provisions of the 1971 Act, and if sold in more than one series may be authorized in one or more resolutions of the Board, but the pledges therefor made by the Authority in any such resolution shall be for the pro rata benefit of all of the Bonds and all of the Previously Authorized But Unissued Bonds, although all or some of the details applicable to each series may be specified in the respective resolutions under which the different series are issued. Each series of the Bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest total net interest cost to the Authority for those then offered for sale, computed from their respective dates to their respective maturities and taking into account any premium name in the bid therefor; provided, that if no bid acceptable to the Authority is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State which is customarily published not less often than five days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Board may fix the terms and conditions under which each such sale may be held; provided, that none of the Bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this Act. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the Bonds.

Section 5. Appropriation of Revenues to the Authority; Parity Pledge Thereof for the Benefit of the Bonds and the Previously Authorized But Unissued Bonds. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on the Bonds and the Previously Authorized But Unissued Bonds, and to accomplish the objects of this Act, there is hereby irrevocably pledged and appropriated, pro rata and on a parity one with the other, such amount as may be necessary for such purpose from the following sources:

(a) The residue of the receipts from the excise tax (sometimes referred to as the utilities gross receipts tax) levied by Act No. 21 adopted at the 1969 Special Session of the Legislature, as amended, remaining after payment of the expenses of administration and enforcement of the said Act No. 21, as amended, being that portion of the said tax that is required by the said Act No. 21, as amended, to be deposited in the state treasury to the credit of the Alabama Special Educational Trust Fund;

(b) The residue of the receipts from the excise tax (sometimes referred to as the utilities use tax) levied by Act No. 37 adopted at the 1969 Special Session of the Legislature, as amended, remaining after payment of the expenses of administration and enforcement of the said Act No. 37, as amended, being that portion of the said tax that is required by the said Act No. 37, as amended, to be deposited in the state treasury to the credit of the Alabama Special Educational Trust Fund;

(c) The residue from the receipts from the license tax levied on those engaging in the business of leasing or renting tangible personal

property levied by Act No. 94 adopted at the Special Session of the Legislature that convened on March 31, 1971, remaining after payment of the administration and enforcement of the said Act, being that portion of the said tax that is required by the said Act to be deposited in the state treasury to the credit of the Alabama Special Educational Trust Fund;

(d) To the extent and to the extent only that the revenues appropriated in the foregoing subsections (a), (b) and (c) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the Bonds and the Previously Authorized But Unissued Bonds, the residue of the receipts from the excise tax known as the sales tax levied by Act No. 100 adopted at the Second Special Session of 1959 of the Legislature, as amended, after there shall have been taken from the said residue the amounts appropriated for other educational purposes in Section 32 of the said Act No. 100 (which said residue constitutes that portion of the receipts from the said sales tax that is now required by law to be paid into the Alabama Special Educational Trust Fund), and after there shall have been taken from the said residue amounts sufficient to meet all prior charges on the said residue including such amounts as may be necessary to pay at their respective maturities the principal of and interest on those of the following securities that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein and the Previously Authorized But Unissued Bonds: (1) those bonds issued by the State under the 1957 Act; (2) those bonds issued by Alabama Education Authority under the 1959 Act; (3) those bonds issued by Alabama Public School and College Authority under any of the 1965 Act, the 1967 Act, or the 1969 Act; and

(e) To the extent and to the extent only that the revenues appropriated in the foregoing subsections (a), (b), (c) and (d) of this section may not be sufficient to pay at their respective maturities the principal of and the interest on the Bonds and the Previously Authorized But Unissued Bonds, the residue of the receipts from the excise tax known as the use tax levied in Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, after there shall have been taken from the said receipts the amount necessary to meet the expenses of the State Department of Revenue in collecting the said use tax (which residue constitutes that portion of the receipts from the said use tax that is now required by law to be paid into the Alabama Special Educational Trust Fund), and after there shall have been taken from the said residue such amounts as may be necessary to meet all prior charges on the said use tax including the amounts sufficient to pay at their respective maturities the principal of and interest on those outstanding bonds referred to in clauses (1), (2), and (3) of subsection (d) of this section.

The appropriation and pledge made in the foregoing provisions of this section shall be for the benefit of the Authorized But Unissued Bonds authorized in the 1971 Act (none of which has yet been sold by the Authority), and also for the bonds authorized in this Act, pro rata and on a parity one with another and to the same extent and with the same result as if the Authorized But Unissued Bonds provided for in the 1971 Act were authorized in this Act together with the Bonds herein authorized. It is the intent of the Legislature, that the effect of such pro rata appropriation and pledge made in this section shall be the same as if no appropriation and pledge were made in the 1971 Act and the only appropriation and pledge made for the benefit of the Previously Authorized But Unissued Bonds is the parity appropriation and pledge made in this Act.

The State Treasurer is authorized and directed to pay at their respective maturities the principal of and interest on the Authorized But Unissued Bonds provided for in the 1971 Act and the Bonds provided for in this Act out of the residue of the tax receipts appropriated and pledged in the foregoing provisions of this section, and she is authorized to set up and maintain appropriate records pertaining thereto.

All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying at their respective maturities the principal of and the interest on the Authorized But Unissued Bonds and on the Bonds, pro rata and on a parity one with another.

Section 6. The Bonds to be Payable Solely Out of Revenues Appropriated; Authorization for Authority to Pledge Such Revenues. The Bonds shall not be general obligations of the Authority and shall be limited obligations payable solely out of the residue of the tax receipts appropriated and pledged in Section 5 of this Act. All Bonds issued by the Authority pursuant to the provisions of this Act shall be solely and exclusively obligations of the Authority and shall not constitute or create an obligation or debt of the State. As security for the pro rata payment of the principal of and interest on the Bonds and the Previously Authorized But Unissued Bonds at the respective maturities of such principal and interest the Authority is hereby authorized and empowered to pledge the residue of the tax receipts that are appropriated and pledged in Section 5 of this Act. All such pledges made by the Authority shall be on a parity without preference or priority of one over another. All such pledges shall, however, be prior and superior to pledges that may be made for any Refunding Bonds hereafter issued by Alabama Education Authority under the provisions of the 1959 Act, or by the Authority under the provisions of any of the 1965 Act, or the 1967 Act, or the 1969 Act, or the 1971 Act, or any other Act heretofore enacted.

Section 7. Use of Proceeds from the Bonds. The proceeds of all bonds, other than refunding bonds, issued by the Authority remaining after paying expenses of their issuance, shall be deposited in the State Treasury, and shall be carried in the State Treasury in a special or separate account. Such remaining funds shall be subject to be drawn upon the Authority with the approval of the Secretary of the Authority and the Governor, but any funds so withdrawn shall be used solely for the purpose of financing the construction, reconstruction, alteration, improvement, and equipment of buildings and other facilities for public educational purposes including school buses in connection therewith and further including the cost of architectural services therefor and services rendered by building inspectors for periodic and final inspections thereof in accordance with the provisions of this Act.

The proceeds from the sale of the bonds remaining after payment of the expense of issuance thereof shall be used as follows:

(a) Alabama Agricultural and Mechanical University ..	\$ 750,000
(b) Alabama State University	750,000
(c) George C. Wallace State Junior College and Technical Institute (Selma)	750,000
(d) Jefferson State Junior College	1,750,000
(e) John C. Calhoun State Technical Junior College	1,000,000
(f) Mobile State Junior College	400,000
(g) Southern Union State Junior College	250,000
(h) Alexander City State Junior College	300,000
(i) George C. Wallace State Junior College (Dothan) ..	500,000
(j) Snead State Junior College	300,000

(k) Northwest Alabama State Junior College	300,000
(l) Northeast State Junior College	300,000
(m) Enterprise State Junior College	300,000
(n) Patrick Henry State Junior College	300,000
(o) Lurleen B. Wallace State Junior College	300,000
(p) Gadsden State Junior College	300,000
(q) Brewer State Junior College	200,000
(r) James H. Faulkner State Junior College	500,000
(s) Buses for junior colleges	300,000
(t) Cherokee County for the establishment of an area vocational training school	135,000
(u) W. S. Neal High School of East Brewton, Alabama	120,000
(v) Belgreen High School for the establishment of an area vocational training school	150,000
(w) DeKalb County for the establishment of an area vocational training school	225,000
(x) City school system of Russellville for the construc- tion of an auditorium	250,000
(y) Each state trade school to receive an equal share from	4,570,000
	<u>\$15,000,000</u>

The preparation of all plans and specifications for any building constructed wholly or in part with any of the money realized from this issue, and all work done hereunder in regard to the construction, reconstruction, alteration, and improvement of buildings, shall be supervised by the Alabama Building Commission, or any agency which may be designated by the Legislature as its successor, and the Authority shall reimburse the Building Commission for its reasonable direct costs in having plans, specifications and contract documents prepared and in supervising and inspecting the work. The expenses of issuance of the bonds and supervision of construction shall be pro-rated among the recipients thereof.

Section 8. Authorization of Refunding Bonds: Provisions Applicable Thereto. The Authority may from time to time sell and issue Refunding Bonds in amounts sufficient to refund the principal of any matured or unmatured securities then outstanding that were issued by the Authority under the provisions of this Act, or the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Act, or any other Act enacted prior to this Act, or that were issued by Alabama Education Authority under the provisions of the 1959 Act, and to pay any premiums necessary to retire those so refunded and the expenses of such refunding. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on the Refunding Bonds issued by it under this Act and to accomplish the objects of this Act, there is hereby irrevocably pledged and appropriated, so much as may be necessary for such purpose of the residue of the receipts from the excise taxes appropriated and pledged in subsections (a), (b), (c), (d) and (e) of Section 5 of this Act, but such pledge and appropriation shall be subject and subordinate to the pledge and appropriation made in the said Section 5 for payment of the principal of and interest on the bonds issued under the provisions of Section 2 of this Act and the Previously Authorized But Unissued Bonds under the provisions of Section 2 of the 1971 Act. All other provisions of this Act shall apply to the Refunding Bonds issued hereunder except (a) the limitation contained in Section 2 of this Act on the amount of

Bonds that may be issued under this Act, and (b) the provisions of Section 7 of this Act. All pledges made in this Act, and all pledges made by the Authority pursuant to the provisions of this Act, for the benefit of Refunding Bonds issued under this Act, shall be subordinate to the pledges for the benefit of the Bonds and the Previously Authorized But Unissued Bonds made in or pursuant to authorization contained in this Act, but shall take precedence over other pledges hereafter made in the order of the adoption of the resolutions authorizing the issuance of such Refunding Bonds.

The proceeds derived from the sale of any Refunding Bonds issued under this Act remaining after paying the expenses of their issuance shall be used for the purpose of refunding the principal of the outstanding securities for the refunding of which such Refunding Bonds were issued and paying the expenses of such refunding and any premium that may be necessary to be paid in order to retire the securities so refunded.

Section 9. Severability Clause. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this Act, which shall continue effective.

Section 10. Effective Date. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Owen
Bailes	Hammond	Lybrand	Register
Branyon	Hawkins	McLain	Vacca
Carr	Horne	Malone	Weaver
Clark	Jones	Noonan	Wilder
Fine	King	O'Bannon	Wilson
Foshee	Lindsey		

—25

Nays:

—0

Mr. Lybrand moved that the Senate reconsider the vote by which the substitute offered by Mr. Foshee was adopted. On motion of Mr. Fine, the motion to reconsider was laid on the table.

And said Bill, H. B. 1799, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Fine	Jones	Owen
Bailes	Foshee	King	Pelham
Branyon	Gilmore	Lindsey	Register
Carr	Givhan	Littleton	Vacca
Clark	Hammond	McLain	Weaver
Cook	Harris	Malone	Wilder
Cooper	Hawkins	Noonan	Wilson
Edington	Horne	O'Bannon	

—30

Nays: Messrs. Dominick, Lybrand

—2

Mr. Fine moved that the Senate reconsider the vote by which the Bill, H. B. 1799, as amended by the substitute, was passed and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 875. To raise revenue by levying an excise and privilege tax on every person engaged in the severance of coal from the soil in this state; to provide for the collection, payment and administration of such tax; to provide for the use of the proceeds of such tax; to provide for refunds of excess taxes; to provide for penalties for violation of the provisions of this Act; and to provide for eventual termination of such tax.

was taken up.

Mr. Noonan offered the following amendment to the Bill, H. B. 875, to-wit:

AMENDMENT TO HOUSE BILL 875

The words "15¢ per ton of coal severed" on Line 5 of Section 2 on page 2 of House Bill 875 are deleted and in lieu thereof there is hereby substituted the words "13.5¢ per ton of coal severed".

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Register
Carr	Gilmore	Lindsey	Shelby
Cook	Givhan	Lybrand	Vacca
Cooper	Hammond	McLain	Wilder
Dominick	Harris	Noonan	Wilson
Dozier	Hawkins	O'Bannon	—30

Nays: —0

Mr. Noonan then offered the following amendment to the Bill, H. B. 875, as amended, to-wit:

AMENDMENT TO H. B. 875

Amend House Bill 875 as follows:

Delete Section 5 and insert in lieu thereof the following:

Section 5. Use of Proceeds. The entire proceeds from the privilege or license tax levied by Section 2 hereof shall be deposited in the State Treasury to the credit of The Alabama State Docks Bulk Handling Facility Trust Fund. The proceeds from the special handling charge provided for by H. B. 876, Regular Session 1971, shall be deposited in the State Treasury to the credit of a fund to be created and known as the Special Handling Charge Fund.

(a) The amounts deposited into such funds shall be disbursed and are hereby appropriated to the extent necessary for such purpose, to pay at their respective maturities, or to redeem under the terms thereof, principal of and interest on any revenue bonds that may at any time be issued pursuant to authorization and any statute adopted at the 1971 Regular Session of the Alabama Legislature or at any other legislative session prior thereto for the purpose of constructing

any seaport facility; provided that amounts deposited into the Special Handling Charge Fund shall be first expended to the extent necessary, for such purposes before any amounts are drawn from the Alabama State Docks Bulk Handling Facility Trust Fund.

(b) From the balance remaining in the Special Handling Charge Fund during each fiscal year there is hereby appropriated and there shall be paid by the State Treasurer into a reserve fund or funds established for the bonds until there is on deposit, an amount equal to the maximum principal and interest becoming due on the bonds in any one year; to the extent that the balance remaining in the Special Handling Charge Fund is inadequate to fully fund the reserve fund, the reserve fund shall be funded from the Alabama State Docks Bulk Handling Facility Trust Fund.

(c) From the balance thereafter remaining in the Alabama State Docks Bulk Handling Facility Trust Fund during each fiscal year refunds shall be made as provided by Section 6 of this Act; and

(d) The balance, if any, in the Special Handling Charge Fund is hereby appropriated and shall be used by the State Treasurer to, at his discretion, pay principal and interest on the bonds in future years or to redeem portions of the bonds.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dozier	Horne	Owen	Wilson
Edington	Jones		

—33

Nays:

—0

Mr. Noonan then offered the following amendment to the Bill, H. B. 875, as amended, to-wit:

AMENDMENT TO H. B. 875

Amend House Bill 875 as follows:

Delete the last line of Section 6 on page 4 and insert in lieu thereof the following: coming due on the bonds in any one year, the severance tax proceeds remaining in the Alabama State Docks Bulk Handling Facility Trust Fund.

Also amend Section 6 as follows:

Strike the second paragraph thereof, and substitute therefor the following:

"There shall be refunded to each producer an amount equal to the product of the available proceeds and a fraction of which the numerator is the total taxes paid by such producer during such fiscal year on severed coal and the denominator of which is the total taxes paid pursuant to this Act by all producers during such fiscal year on severed coal, provided that no taxpayer shall receive a refund exceeding the amount of tax paid pursuant to this Act by such taxpayer for such fiscal year on severed coal."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—33

Nays: —0

Mr. Noonan then offered the following amendment to the Bill, H. B. 875, as amended, to-wit:

AMENDMENT TO H. B. 875

AMEND H. B. 875, by inserting the following:

Section 9 A. No political subdivision of the State of Alabama, including counties, cities, special taxing districts, or other taxing instrumentalities shall levy a tax upon the excise or privilege of severing coal in Alabama. It is the intent hereof, that all taxing authority upon the excise or privilege of severing coal as is granted in Section 2 of this Act shall inure to the State of Alabama exclusively.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Malone	Weaver	
Dominick	Horne	Noonan	Wilder	
Edington	Jones	O'Bannon	Wilson	
Fine				—32

Nays: —0

Mr. Noonan then offered the following amendment to the Bill, H. B. 875, as amended, to-wit:

AMENDMENT TO H. B. 875

Amend Section 12 of H. B. 875 by striking Section 12 in its entirety and substituting the following:

"This Act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	Jones	O'Bannon
Bailes	Foshee	King	Owen
Branyon	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Register
Cook	Hammond	Lybrand	Shelby
Cooper	Harris	McLain	Vacca
Dozier	Hawkins	Malone	Wilder
Edington	Horne	Noonan	Wilson

—31

Nays:

—0

And said Bill, H. B. 875, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	O'Bannon	

—34

Nays:

—0

The Bill:

H. 876. To amend the title to and Sections 4, 5 and 8 of Act No. 64, S. 63, Special Session of 1971, approved April 29, 1971, entitled, "An Act to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$15,000,000 principal amount of revenue bonds for the purpose of the construction, improvement and equipment of additional seaport facilities at the Port of Mobile for the handling and storage of coal, coke, or any other materials in bulk or containers, or any other method of shipment, to authorize the Department to make temporary loans by the sale and issuance of its bond anticipation notes and to pay such notes and the interest thereon out of proceeds from the sale of the bonds herein authorized; to provide for the details of the bonds and notes issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of the said Department derived from the facilities constructed with the proceeds of the said notes and bonds, except that the notes shall also be payable out of the proceeds from the sale of the bonds; to provide for and authorize the pledge of the gross revenues of the said facilities for payment of the said principal and interest and that such pledge will constitute the first charge on the revenues so pledged; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing or any pledge or instrument securing, the said bonds; to provide that all bonds and

notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits or funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful for the investment of fiduciary funds; to authorize the investment or proceeds of the bonds and the notes not presently needed for the purposes for which they are issued; and to provide that the provisions of this Act shall be severable and any portion hereof that may be held invalid shall not affect the remaining portions," so as to include in the revenues pledged to the retirement of the said bonds and notes the proceeds from a coal severance tax and to restrict the monies pledged from the revenues of the Alabama State Docks facility itself to the proceeds from a certain handling charge authorized for this express purpose, and to authorize the Alabama State Docks Department to impose and collect a special handling charge on coal.

was taken up.

Mr. Noonan offered the following amendment to the Bill, H. B. 876, to-wit:

AMENDMENT TO H. B. 876

Amend House Bill 876 as follows:

Amend Section 3 of House Bill 876 so as to read as follows:

"Section 5 of Said Act No. 64 is hereby amended to read as follows:

"Section 5. Details Respecting Bonds. The bonds may be issued in one or more series, shall be in such forms and denominations and of such tenor, shall mature in annual installments the first of which shall mature not later than one (1) year after the estimated date for the completion of the seaport facility financed thereby and the last of which shall mature not later than twenty (20) years from their respective dates, shall bear such rate or rates of interest payable and evidenced in such manner, all as may be provided in the order or orders of the Director in which any of the bonds are authorized to be issued; provided, that no such order shall be valid without the written approval of the Governor. The said order or orders may provide for any or all of the following: the use and disposition of the revenues of the Department derived from the seaport facilities constructed with the proceeds of the bonds and the notes funded thereby; the setting aside of reserves for the bonds; the disposition and administration of any such revenues and reserves; limitations on the purpose or purposes to which the proceeds of sale of the bonds may be applied; the procedure, if any, by which the terms of any contract with the holders of any such bonds may be amended or abrogated; the amount of bonds the holders of which must consent to such amendment or abrogation; the manner in which such consent may be given; and any other provisions not inconsistent with this Act. In addition to all other handling charges, wharfage fees and other fees, the Department is authorized and directed to collect a special handling charge of twenty-five cents (25¢) per ton on coal handled by the seaport facility, and the proceeds thereof as long as any bonds issued pursuant to this Act remain outstanding shall be deposited into an account to be established and known as the Alabama State Docks Bulk Handling Facility Trust Fund for the payment of the principal and interest on the bonds and notes, including reserves therefor; provided, however, that upon retirement of the bonds said special handling charge shall terminate. The said bond order shall provide for the manner and details of the collection of the special handling charge.

The Department shall have the power to prescribe, in the order under which the first series of the bonds are issued, the terms and conditions under which the bonds may thereafter be issued for the purposes described in Section 3 of this Act. The Department may at its election retain in the order or orders under which any of the bonds are issued an option to redeem all or any thereof at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in such order or orders and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. Any of the bonds having stated maturities more than ten years after the date thereof shall be made subject to redemption at the option of the Department not later than the end of the tenth year after the date thereof and on any interest payment date thereafter, under such terms and conditions as may be provided in the order or orders authorizing the issuance of such bonds. The redemption price or prices of bonds shall not exceed the face amount thereof plus a premium which shall not exceed twelve (12) months' interest thereon."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Edington	Jones	Owen	Wilson
Fine	King		

—33

Nays:

—0

And said Bill, H. B. 876, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

Nays:

—0

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 120. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the 35th Legislative Day only:

Bill No.	Page	
H. B. 467	5	Voluntary abandonment
H. B. 221	46	Credit union
H. B. 223	47	Credit union
H. B. 264	47	Credit union
H. B. 10	8	Proof of residency
H. B. 11	8	Proving 12 months residency
H. B. 774	65	Aviation commission

On motion of Mr. Clark, said Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

H. 467. To amend Section 20, Title 34, of the Code of Alabama 1940, which establishes the grounds for divorce in this state, so as to reduce the time limit for the grounds of voluntary abandonment from one year to six months.

Mr. Branyon offered the following substitute for the Bill, H. B. 467, to-wit:

SUBSTITUTE FOR H. B. 467

A BILL TO BE ENTITLED AN ACT

To amend further Title 34, Sections 27 and 29, Code of Alabama 1940, both of which relate to period of residence requirements in divorce suits.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 27 and 29 of Title 34, Code of Alabama 1940, as amended, are amended further to read as follows:

"Section 27. No bill can be filed for a divorce on the ground of voluntary abandonment, unless the party applying therefor, whether husband or wife, has been a bona fide resident citizen of this state for twelve months next preceding the filing of the bill, which must be alleged in the bill and proved.

"Section 29. When the defendant is a nonresident, the other party to the marriage must have been a bona fide resident of this state for one year next before the filing of the bill, which must be alleged in the bill and proved."

Section 2. This Act shall not apply to any case pending in any court on the effective date hereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Pelham	
Bailes	Fine	Jones	Pierce	
Branyon	Foshee	King	Register	
Carr	Gilmore	Lindsey	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon		—26

Nays:

—0

And said Bill, H. B. 467, as thus amended by the substitute, was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	Jones	Pelham	
Branyon	Foshee	King	Pierce	
Carr	Gilmore	Lindsey	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier				—32

Nays:

—0

The Bill:

H. 221. Creating a bureau of credit unions, the position of supervisor of the bureau of credit unions and a credit union board; providing for the qualifications, duties and responsibilities of the bureau, the supervisor and the board members; and further providing for the examination and supervision of credit unions by the bureau and for the expenses of operating the bureau.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 221, to-wit:

SENATE COMMERCE, TRANSPORTATION AND COMMON CARRIERS COMMITTEE AMENDMENT TO H. B. 221

Amend H. B. 221 by deleting the provisions of Section 3 and inserting in lieu thereof the following:

"Section 3. There shall be a credit union board of the bureau of credit unions, which shall consist of the superintendent of banks, who shall be ex-officio a member of the board, and six persons, three of whom shall be appointed by the Lt. Governor and three of whom shall be appointed by the Speaker of the House, representative of the six congressional districts in the state of Alabama from a list of nominees submitted by the state chartered credit unions in such districts, by and with the consent of the Senate, and the superintendent shall be

chairman of this board. Upon the passage of this act the Lt. Governor and the Speaker of the House shall appoint by and with the consent of the Senate, two members to serve for two years, two members to serve for four years, and two members to serve for six years. Thereafter their successors shall be appointed for terms of six years each so that the terms of two of the six appointed members will expire on February 1 of each odd-numbered year. Upon the expiration of their terms of office, members of the board shall continue to serve until their successors are appointed and have qualified."

Further amend H. B. 221 by deleting the provisions of Section 8 and inserting in lieu thereof the following:

"Section 8. If, by reason of death, resignation, removal from office, or otherwise a vacancy occurs on the board, the vacancy shall be filled by appointment of the Lt. Governor and the Speaker of the House and the appointee shall hold office until the Senate meets and passes on the appointment, and if the appointment is disapproved by the Senate another appointment must be made by the Lt. Governor and the Speaker of the House and in like manner appointments made until appointment is confirmed by the Senate. The six appointed members of said credit union board shall be persons of good character. All of the members must have had at least five years experience in the ten years next preceding their appointment to the credit union board either as an officer, director or manager of a state chartered credit union. All of the members of said board during the time they hold office shall be connected with some state chartered credit union doing business as a credit union under the laws of the state of Alabama, as officer, director, or manager of such credit union."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Cook	Hammond	McLain	Shelby
Cooper	Hawkins	Malone	Vacca
Dominick	Horne	Noonan	Weaver
Dozier	Jones	O'Bannon	Wilder

—31

Nays:

—0

And said Bill, H. B. 221, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Owen
Bailes	Edgington	Horne	Pelham
Branyon	Fine	King	Pierce
Carr	Foshee	Littleton	Register
Cook	Gilmore	McLain	Shelby
Cooper	Givhan	Noonan	Vacca
Dominick	Hammond	O'Bannon	Wilder

—27

Nays:

—0

The Bill:

H. 223. Amending Code of Alabama 1940, Title 28, Sections 291, 297, and 298, all of which relate to the business of credit unions, so as to provide further for the approval and making of loans by credit unions and for reserve funds and dividends of credit unions.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—29

Nays:

—0

The Bill:

H. 264. Amending Code of Alabama 1940, Title 28, Sections 285, 293 and 295, all of which relate to credit unions, so as to provide further for lending by such unions, for investments by such unions, for collection by such unions of entrance fees and for loans to officials of the union.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 264, to-wit:

AMENDMENT TO H. B. 264

In the last sentence of the amended Section 295 in Section 1 of the bill, strike the semicolon and the remainder of the sentence after the word "borrowers" and insert in lieu thereof a period and the following words and figures:

A loan in excess of his shareholdings made to a member at least ninety days prior to his election as a director or committee member shall not prevent such member from serving as director or committee member, as the case may be, and such loan may not be extended, renewed or refinanced during his term of office. Provided, however, no new or additional loan shall be made to any director or committee member after his election and during his term of service which would make his total indebtedness in excess of his shareholdings.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pelham
Bailes	Foshee	King	Pierce
Branyon	Gilmore	Lindsey	Register
Carr	Givhan	Littleton	Shelby
Cook	Hammond	Lybrand	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Edington	Horne	Owen	Wilson

—31

Nays:

—0

And said Bill, H. B. 264, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Owen	
Bailes	Edington	Horne	Pelham	
Branyon	Fine	Jones	Register	
Carr	Foshee	Lindsey	Vacca	
Clark	Gilmore	Littleton	Weaver	
Cook	Givhan	Lybrand	Wilder	
Cooper	Hammond	O'Bannon		—26

Nays:

—0

BILL RECONSIDERED

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 467, was passed.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 467, was ordered to its third reading.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the substitute for the Bill, H. B. 467, was adopted.

On motion of Mr. Bailes, said substitute was laid on the table.

On motion of Mr. Dominick, further consideration of the Bill, H. B. 467, was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

H. 10. To amend Section 29, Title 34, Code of Alabama, 1940, as amended, relating to proof of plaintiff's residency when a defendant is a non-resident.

Was read a third time at length and passed.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Dominick	Harris	O'Bannon	
Bailes	Dozier	Hawkins	Pelham	
Carr	Foshee	King	Pierce	
Clark	Gilmore	Lindsey	Register	
Cook	Givhan	Littleton	Weaver	
Cooper	Hammond	Lybrand	Wilder	

—23

Nays: Messrs. Fine, Horne

—2

The Bill:

H. 11. To repeal Section 27 of Title 34 of the Code of Alabama, 1940, which provides further for the alleging and proving of twelve months residence in divorce cases.

Was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cooper	Hammond	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Edington	Jones	O'Bannon	

—26

Nay: Mr. Horne

—1

The Bill:

H. 774. To amend further Section 3 of Act No. 402, General Acts 1945, page 624, entitled "An Act relating to Aeronautics; providing for the promotion, encouragement, development and regulation thereof within this State; creating a State Department of Aeronautics consisting of a State Aeronautics Commission and a Director of Aeronautics; prescribing their respective duties and powers; providing for the transfer from the Alabama Aviation Commission to the Department of Aeronautics all properties, personnel and funds held by, and all matters and subjects handled by, said Aviation Commission; providing for an Aeronautics Department fund and an Airport Development Fund and making appropriations therefor; prescribing penalties and making uniform the law with reference to state development and regulation of aeronautics, as last amended.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 774, to-wit:

AMENDMENT TO H. 774

In Section 1 of the bill, strike Subdivision 1 of Section 3 of Act No. 402, General Acts 1945, p. 624, and substitute therefor the following:

Subdivision 1. CREATION OF DEPARTMENT OF AERONAUTICS AND AN AERONAUTICS COMMISSION: MEMBERSHIP: EXPENSES: REMOVAL: There is hereby created and established a department of Aeronautics which shall be known as the Alabama Department of Aeronautics, and an aeronautics commission which shall be known as the Alabama Aeronautics Commission. The Alabama Aeronautics Commission, together with the Director of Aeronautics and all other employees of the Commission, shall constitute the Alabama Department of Aeronautics. The Commission shall consist of the Director of the Highway Department, the Director of Public Safety, and five other members, two of which shall be appointed by and serve at the pleasure of the Lieutenant Governor, and three of which shall be appointed by and serve at the pleasure of the Governor and who shall continue in office as designated by the Lieutenant Governor and the Governor at the time of appointment, through the last day of the second, third, fourth, fifth and sixth fiscal years, respectively, following the passage of this Act. The successors of the members originally appointed shall be appointed for terms of four years in the same manner as the members originally appointed under this Act, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Each member shall serve until the appointment of his successor. The five members of the Commission ap-

pointed by the Governor and the Lieutenant Governor shall be citizens and bona fide residents of Alabama qualified by their knowledge of, and experience and interest in, aeronautics. At least two of the members shall be or shall have been experienced private, commercial or military pilots having had not less than two hundred hours of solo flying. All members shall take the oath of office prescribed for other State officers. Members of the Commission appointed by the Governor and the Lieutenant Governor shall be paid in the amount of \$20.00 per day for each day they are engaged in the performance of their duties as commissioner, but no member may receive more than \$500.00 for such services in any one fiscal year. In addition, each member shall be reimbursed for all necessary traveling and other expenses, incurred by him in the performance of his duties as commissioner.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Bailes	Foshee	McLain	Shelby	
Branyon	Givhan	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Edington	Lindsey	Pelham		—22

Nays: —0

The Standing Committee on Commerce, Transportation and Common Carriers then reported the following amendment to the Bill, H. B. 774, as amended, to-wit:

AMENDMENT TO H. 774

1. On page 2 of the bill, on the 41st line thereof, strike the figure \$18,000.00 and substitute therefore the figure \$19,500.00

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Cooper	Harris	Noonan	Vacca	
Dozier	Hawkins	O'Bannon	Weaver	
Edington	Horne	Owen	Wilder	
Fine				—28

Nays: —0

Mr. Gilmore offered the following amendment to the Bill, H. B. 774, as amended, to-wit:

AMENDMENT TO H. 774

By Mr. Gilmore:

Amend Subdivision 1 of Section 3, as amended, by striking in the third sentence thereof the words "and serve at the pleasure of," wherever such words may appear.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Finch	Jones	Owen
Bailes	Foshee	King	Pelham
Branyon	Gilmore	Lindsey	Pierce
Carr	Givhan	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cooper	Harris	McLain	Vacca
Dozier	Hawkins	Noonan	Weaver
Edington	Horne	O'Bannon	Wilder

—31

Nays:

—0

And said Bill, H. B. 774, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Finch	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	Noonan	Vacca
Cooper	Hammond	O'Bannon	Weaver
Dominick	Hawkins	Owen	Wilder
Dozier	Horne		

—29

Nays:

—0

FURTHER CONSIDERATION OF H. B. 467

The Senate proceeded to further consideration of the Bill, H. B. 467.

Mr. Bailes offered the following substitute for the Bill, H. B. 467, to-wit:

SUBSTITUTE FOR H. B. 467

A BILL TO BE ENTITLED AN ACT

Relating to domestic relations, particularly to marriage and divorce; prescribing the style of proceedings relative to domestic relations; prescribing the effect of a divorce decree; and providing for an additional ground of divorce by amending Code of Alabama 1940, Title 34, Section 20.

Be It Enacted by the Legislature of Alabama:

Section 1. When a divorce decree is entered, in effect, it is awarded to both parties to the marriage.

Section 2. Code of Alabama 1940, Title 34, Section 20, as amended, is hereby further amended to read as follows:

"Section 20. DIVORCE; BY WHAT COURT, AND ON WHAT GROUNDS GRANTED. (a) The Circuit Court in equity has power

to divorce persons from the bonds of matrimony, upon a petition filed by one of the parties, entitled "In re the marriage of _____ and _____", for the causes following: 1. In favor of either party, when the other was, at the time of the marriage physically and incurably incapacitated from entering into the marriage state. 2. For adultery. 3. For voluntary abandonment from bed and board for six months next preceding the filing of the bill. 4. Imprisonment in the penitentiary of this or any other state, for two years, the sentence being for seven years or longer. 5. The commission of the crime against nature, whether with mankind or beast, either before or after marriage. 6. For becoming addicted after marriage to habitual drunkenness or to habitual use of opium, morphine, cocaine or other like drug. 7. Upon application of either the husband or wife, when the court is satisfied from all the testimony in the case, that there exists such a complete incompatibility of temperament that the parties can no longer live together. 8. In favor of either party, when the other, after marriage, shall have been confined in an insane asylum for a period of five successive years; if such party from whom a divorce is sought is hopelessly and incurably insane at the time of the filing of the bill. Provided, however, that the superintendent of the insane asylum in which such person is confined shall make a certified statement, under oath, that it is his opinion and belief, after a complete and full study and examination of such person, that such person is hopelessly and incurably insane. 9. Upon application of either party, when the court finds there has been an irretrievable breakdown of the marriage and that further attempts at reconciliation are impractical or futile and not in the best interest of the parties or family.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen
Bailes	Gilmore	Littleton	Pelham
Branyon	Givhan	Lybrand	Pierce
Carr	Hammond	McLain	Register
Cook	Hawkins	Malone	Vacca
Cooper	Horne	Noonan	Weaver
Edington	Jones	O'Bannon	Wilder
Fine	King		

—29

Nays:

—0

On motion of Mr. Pelham, further consideration of the Bill, H. B. 467, as amended by the substitute, was postponed until the next Legislative day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the bill:

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance

to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

And in accordance with the provisions of the Conference Report the House has discharged its conferees.

And said bill, together with the Conference Report, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 29

Delivered to the Governor September 2, 1971 at 6:00 P. M.

S. J. R. 84

S. J. R. 87

S. J. R. 96

S. B. 306

S. B. 504

S. B. 751

S. B. 752

S. B. 760

S. B. 761

S. B. 762

S. B. 764

S. B. 767

S. B. 768

S. B. 851

S. B. 928

S. B. 942

S. B. 949

S. B. 950

S. B. 951

S. B. 959

S. B. 961

S. B. 962

S. B. 970
S. B. 971
S. B. 972
S. B. 978
S. B. 1001
S. B. 1003
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S. B. 1024
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S. B. 1146

S. B. 1147

S. B. 1149

S. B. 1158

S. B. 1162

S. B. 1163

S. B. 1165

S. J. R. 91

Delivered to the Governor September 14, 1971 at 3:05 P. M.

S. B. 208

S. B. 1045

Delivered to the Secretary of State September 14, 1971, at 3:20 P. M.

S. B. 415

S. B. 431

S. B. 750

S. B. 777

S. B. 1200
S. B. 23
S. B. 42
S. B. 48
S. B. 60
S. B. 79
S. B. 154
S. B. 212
S. B. 214
S. B. 308
S. B. 315
S. B. 345
S. B. 346
S. B. 347
S. B. 383
S. B. 384
S. B. 446
S. B. 481
S. B. 483
S. B. 508
S. B. 652
S. B. 782
S. B. 786
S. B. 946
S. B. 953
S. B. 995
S. B. 1018
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S. B. 1050
S. B. 1125
S. B. 1126
S. B. 1127
S. B. 1128
S. B. 1129
S. B. 1148
S. B. 1159

S. B. 1207

S. B. 1208

S. J. R. 102

Delivered to the Governor September 16, 1971, at 12:15 P. M.

S. B. 255

S. B. 963

S. B. 460

S. B. 964

S. B. 1142

S. B. 414

S. B. 960

S. B. 1058

S. B. 807

S. B. 1091

Delivered to the Governor September 16, 1971, at 6:00 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 11:57 P. M., on motion of Mr. Pelham, pending further consideration of the Bills, H. B.'s 2658, 2661 and 2570, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, September 22, 1971, at 8 o'clock A. M.
